

passed by the Forty-second Legislature until June 1, 1932; naming general exceptions wherein this act shall not apply; providing that if any part or section of this act is unconstitutional, such shall not affect the remaining parts hereof, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, May 13, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1036, "An Act amending House bill No. 97, passed by the Fourth Called Session of the Forty-first Legislature, Chapter 23, page 43, of the Fourth and Fifth Called Sessions of the Forty-first Legislature; repealing all laws in conflict with this act, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, May 13, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 81, "An Act amending Articles 5161, 5162, 5163, 5164 and 5160, of the Revised Civil Statutes of 1925, as amended by Chapter 39, First Called Session of the Fortieth Legislature, and Chapter 266, Acts of the Regular Session of the Forty-first Legislature, repealing Chapter 17, Acts of the Thirty-ninth Legislature, Regular Session, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

FIFTY-FOURTH DAY.

(Continued.)

(Thursday, May 14, 1931.)

The House met at 9 o'clock a. m., and was called to order by Speaker Minor.

HOUSE BILL NO. 539 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 539, A bill to be entitled "An Act requiring the Commissioner of Agriculture to gather, compile and disseminate statistical information relating to farm areas, crop acreages, natural resources and products thereof; providing that tax assessors collect such information under direction of the Commissioner of Agriculture; providing that the Commissioner of Agriculture furnish blanks to assessors and the time to furnish, etc., and declaring an emergency."

The bill was read second time.

Mr. Sanders offered the following (committee) amendments to the bill:

(1)

Amend House bill No. 539 by striking out all of Section 6 thereof and by changing the number of the subsequent sections accordingly.

(2)

Amend House bill No. 539 by striking out all of Section 8 thereof and substituting the following: "Any assessor who shall fail or refuse to perform wholly or in part the services required by this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined a sum of not less than \$100 nor more than \$500."

(3)

Amend House bill No. 539 by striking out "\$20,000" wherever it appears in Section 11 thereof and substituting therefor "\$5000."

(4)

Amend House bill No. 539 by changing the caption to conform to the amendments.

The amendments were severally adopted.

House bill No. 539 was then passed to engrossment.

HOUSE BILL NO. 539 ON THIRD READING.

Mr. Sanders moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 539 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105.

Mr. Speaker.	Albritton.
Adams of Jasper.	Alsop.
Adamson.	Baker.
Akin.	Beck.

Bedford.	Justiss.
Bond.	Kennedy.
Bounds.	Lasseter.
Boyd.	Lee.
Brice.	Lemens.
Brooks.	Lilley.
Bryant.	Lockhart.
Burns of Walker.	McCombs.
Burns	McDougald.
of McCulloch.	McGill.
Carpenter.	McGregor.
Claunch.	Magee.
Coombes.	Metcalf.
Cox of Lamar.	Morse.
Cox of Limestone.	Munson.
Cunningham.	Murphy.
Dale.	Olsen.
DeWolfe.	O'Quinn.
Dodd.	Patterson.
Donnell.	Ramsey.
Elliott.	Ratliff.
Farmer.	Ray.
Farrar.	Reader.
Ferguson.	Richardson.
Fisher.	Rogers.
Forbes.	Rountree.
Ford.	Sanders.
Fuchs.	Savage.
Giles.	Scott.
Goodman.	Shelton.
Graves.	Sherrill.
Greathouse.	Smith of Bastrop.
Grogan.	Sparkman.
Hanson.	Stevenson.
Herzik.	Steward.
Hill.	Strong.
Hines.	Sullivan.
Holder.	Tarwater.
Holland.	Terrell of Val Verde.
Holloway.	Towery.
Hoskins.	Vaughan.
Howsley.	Veatch.
Hughes.	Wagstaff.
Jackson.	Walker.
Johnson	Weinert.
of Dallam.	West of Coryell.
Johnson	West of Cameron.
of Dimmit.	Wiggs.
Johnson of Morris.	Wyatt.
Jones of Shelby.	Young.

Present—Not Voting.

Stephens.

Absent.

Adams of Harris.	Dwyer.
Adkins.	Finn.
Anderson.	Gilbert.
Barron.	Hatchitt.
Bradley.	Hardy.
Caven.	Harman.
Coltrin.	Harrison.
Daniel.	of El Paso.
Davis.	Harrison
Dowell.	of Waller.
Dunlap.	Hefley.
Duvall.	Hubbard.

Jones of Atascosa.	Moore.
Kayton.	Petsch.
Keller.	Pope.
Laird.	Satterwhite.
Leonard.	Smith of Wood.
Long.	Turner.
Martin.	Van Zandt.
Mathis.	Warwick.
Mehl.	Westbrook.
Moffett.	

Absent—Excused.

Engelhard.	Terrell
Nicholson.	of Cherokee.

The Speaker then laid House bill No. 539 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—100.

Adams of Jasper.	Holland.
Adamson.	Holloway.
Akin.	Hoskins.
Albritton.	Howsley.
Alsup.	Hughes.
Baker.	Jackson.
Beck.	Johnson
Bedford.	of Dallam.
Bounds.	Johnson
Boyd.	of Dimmit.
Brice.	Johnson of Morris.
Brooks.	Jones of Shelby.
Bryant.	Justiss.
Burns	Kennedy.
of McCulloch.	Lasseter.
Carpenter.	Lee.
Claunch.	Lemens.
Coombes.	Leonard.
Cox of Lamar.	Lilley.
Cox of Limestone.	Lockhart.
Cunningham.	McDougald.
Dale.	McGill.
DeWolfe.	McGregor.
Dodd.	Magee.
Donnell.	Metcalf.
Dowell.	Morse.
Elliott.	Munson.
Farmer.	Murphy.
Farrar.	Olsen.
Ferguson.	O'Quinn.
Fisher.	Patterson.
Forbes.	Ramsey.
Ford.	Ratliff.
Fuchs.	Ray.
Giles.	Reader.
Goodman.	Richardson.
Graves.	Rogers.
Greathouse.	Rountree.
Grogan.	Sanders.
Hanson.	Scott.
Herzik.	Shelton.
Hill.	Sherrill.
Hines.	Smith of Bastrop.
Holder.	Sparkman.

Stephens.	Veatch.
Steward.	Wagstaff.
Strong.	Walker.
Tarwater.	Weinert.
Terrell	West of Coryell.
of Val Verde.	West of Cameron.
Towery.	Wyatt.
Vaughan.	Young.

Nays—1.

Wiggs.

Absent.

Adams of Harris.	Hubbard.
Adkins.	Jones of Atascosa.
Anderson.	Kayton.
Barron.	Keller.
Bond.	Laird.
Bradley.	Long.
Burns of Walker.	McCombs.
Caven.	Martin.
Coltrin.	Mathis.
Daniel.	Mehl.
Davis.	Moffett.
Dunlap.	Moore.
Duvall.	Petsch.
Dwyer.	Pope.
Finn.	Satterwhite.
Gilbert.	Savage.
Hardy.	Smith of Wood.
Harman.	Stevenson.
Harrison	Sullivant.
of El Paso.	Turner.
Harrison	Van Zandt.
of Waller.	Warwick.
Hatchitt.	Westbrook.
Hefley.	

Absent—Excused.

Engelhard.	Terrell
Nicholson.	of Cherokee.

SENATE BILL NO. 614 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 614, A bill to be entitled "An Act making an appropriation out of the general revenue of the State of Texas, not otherwise appropriated, as an emergency to continue the work of tuberculin tests of cattle, etc., and declaring an emergency."

The bill was read second time.

Mr. Sanders offered the following (committee) amendment to the bill:

Amend Senate bill No. 614, Section 1, lines 2 and 3, by striking out the words and figures "Twelve thousand five hundred (\$12,500)" and inserting in lieu thereof "Ten thousand (\$10,000)."

The amendment was adopted.

Senate bill No. 614 was then passed to third reading.

SENATE BILL NO. 614 ON THIRD READING.

Mr. Sanders moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 614 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104.

Mr. Speaker.	Johnson
Adams of Jasper.	of Dimmit.
Adamson.	Johnson of Morris.
Adkins.	Jones of Shelby.
Akin.	Justiss.
Albritton.	Kennedy.
Baker.	Lasseter.
Beck.	Lee.
Bedford.	Leonard.
Bond.	Lilley.
Bounds.	Lockhart.
Boyd.	McDougald.
Brooks.	McGill.
Bryant.	McGregor.
Burns of Walker.	Magee.
Burns	Metcalf.
of McCulloch.	Moffett.
Carpenter.	Morse.
Coltrin.	Munson.
Coombes.	Murphy.
Cox of Lamar.	Olsen.
Cox of Limestone.	O'Quinn.
Cunningham.	Patterson.
Dale.	Ramsey.
DeWolfe.	Ratliff.
Dodd.	Ray.
Donnell.	Reader.
Dowell.	Richardson.
Elliott.	Rountree.
Farmer.	Sanders.
Farrar.	Satterwhite.
Ferguson.	Savage.
Fisher.	Scott.
Forbes.	Shelton.
Ford.	Sherrill.
Fuchs.	Smith of Bastrop.
Giles.	Sparkman.
Goodman.	Stephens.
Graves.	Steward.
Greathouse.	Strong.
Grogan.	Sullivant.
Hanson.	Tarwater.
Harman.	Terrell
Herzik.	of Val Verde.
Hill.	Towery.
Hines.	Vaughan.
Holder.	Veatch.
Holland.	Wagstaff.
Holloway.	Walker.
Hoskins.	Warwick.
Howsley.	West of Coryell.
Hughes.	West of Cameron.
Johnson	Wyatt.
of Dallam.	Young.

Nays—1.

Rogers.

Absent.

Adams of Harris.	Hubbard.
Alsup.	Jackson.
Anderson.	Jones of Atascosa.
Barron.	Kayton.
Bradley.	Keller.
Brice.	Laird.
Caven.	Lemens.
Claunch.	Long.
Daniel.	McCombs.
Davis.	Martin.
Dunlap.	Mathis.
Duvall.	Mehl.
Dwyer.	Moore.
Finn.	Petsch.
Gilbert.	Pope.
Hardy.	Smith of Wood.
Harrison	Stevenson.
of El Paso.	Turner.
Harrison	Van Zandt.
of Waller.	Weinert.
Hatchitt.	Westbrook.
Hefley.	Wiggs.

Absent—Excused.

Engelhard.	Terrell
Nicholson.	of Cherokee.

The Speaker then laid Senate bill No. 514 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—105.

Mr. Speaker.	Dowell.
Adams of Jasper.	Elliott.
Adamson.	Farmer.
Adkins.	Farrar.
Akin.	Ferguson.
Albritton.	Fisher.
Alsup.	Forbes.
Baker.	Ford.
Beck.	Fuchs.
Bedford.	Giles.
Bounds.	Goodman.
Boyd.	Graves.
Brooks.	Greathouse.
Bryant.	Grogan.
Burns of Walker.	Hanson.
Burns	Herzik.
of McCulloch.	Hill.
Carpenter.	Hines.
Claunch.	Holder.
Coombes.	Holland.
Cox of Lamar.	Holloway.
Cox of Limestone.	Hoskins.
Cunningham.	Howsley.
Dale.	Hughes.
DeWolfe.	Jackson.
Dodd.	Johnson
Donnell.	of Dallam.

Johnson	Reader.
of Dimmit.	Richardson.
Johnson of Morris.	Rountree.
Jones of Shelby.	Sanders.
Justiss.	Satterwhite.
Keller.	Scott.
Kennedy.	Shelton.
Lasseter.	Sherrill.
Lee.	Smith of Bastrop
Lemens.	Sparkman.
Leonard.	Stephens.
Lilley.	Steward.
Lockhart.	Strong.
McDougald.	Sullivant.
McGill.	Tarwater.
McGregor.	Terrell
Magee.	of Val Verde.
Metcalf.	Towery.
Moffett.	Vaughan.
Morse.	Veatch.
Munson.	Wagstaff.
Murphy.	Walker.
Olsen.	Warwick.
O'Quinn.	West of Coryell.
Patterson.	West of Cameron.
Ramsey.	Wyatt.
Ratliff.	Young.
Ray.	

Absent.

Adams of Harris.	Hefley.
Anderson.	Hubbard.
Barron.	Jones of Atascosa.
Bond.	Kayton.
Bradley.	Laird.
Brice.	Long.
Caven.	McCombs.
Coltrin.	Martin.
Daniel.	Mathis.
Davis.	Mehl.
Dunlap.	Moore.
Duvall.	Petsch.
Dwyer.	Pope.
Finn.	Rogers.
Gilbert.	Savage.
Hardy.	Smith of Wood.
Harman.	Stevenson.
Harrison	Turner.
of El Paso.	Van Zandt.
Harrison	Weinert.
of Waller.	Westbrook.
Hatchitt.	Wiggs.

Absent—Excused.

Engelhard.	Terrell
Nicholson.	of Cherokee.

HOUSE BILL NO. 921 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 921, A bill to be entitled "An Act authorizing and directing the Board of Directors and other

managing officers of A. and M. College to create and operate a Fireman's Training School as a part of said college, providing for the creation of a board to advise in the conducting of the same, making an appropriation therefor, and declaring an emergency."

The bill was read second time.

Mr. Sanders offered the following (committee) amendment to the bill:

Amend House bill No. 921 by striking out all below the enacting clause and insert the following:

"Section 1. That the board of directors or other managing officers of the A. and M. College of Texas be and they are hereby authorized and directed from and after the passage of this act to create, conduct and maintain a Firemen's Training School in conjunction as a part of said college in such manner as to said board may seem most expedient and advisable.

"Sec. 2. There is hereby created what shall be known as the 'Firemen's Training School Advisory Board' which shall be composed of three members of the teaching staff of said school to be appointed by the chairman of the board of directors of said college, and four members or representatives of the association known as the 'State Firemen's Association of Texas' or its successor; said members to be appointed and designated by the president or other managing officer of said association, and said advisory board shall confer and advise with the board of directors of said college with reference to the organization of said school, the purchasing of equipment, the curriculum and program and its conduct and management. The sum of ten thousand dollars is hereby appropriated for the fiscal year 1932, and the sum of ten thousand dollars for the fiscal year 1933 is hereby appropriated out of any sum not otherwise appropriated, out of the general revenue fund for the purpose of purchasing equipment and paying the expenses of such school for the next two years, including the per diem and expenses of the advisory board, as well as other necessary expenses of such school, all of such expenditures of any and all character shall be made only upon order of the board of directors and no warrants on this fund shall ever be paid unless same shall be also approved in writing by the president of the A. and M. College,

who shall be advised within all the matters and conduct of such school.

"Sec. 3. The fact that there is no school in Texas for the instructing of volunteer firemen and fire marshals which results in the unnecessary destruction of property by fire and the resultant high fire insurance rates, and that the establishment of such school will result in the reduction of the key rate of insurance in many of the cities and towns whose representatives attend such schools, and that the State Firemen's Association of Texas, composed of volunteer firemen, has requested that such a school be created, and that the same would be a wise and economical measure, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and said rule is hereby suspended, and it is so enacted."

The amendment was adopted.

House bill No. 921 was then passed to engrossment.

HOUSE BILL NO. 921 ON THIRD READING.

Mr. Sanders moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 921 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—107.

Adams of Harris.	Daniel.
Adams of Jasper.	Davis.
Adamson.	DeWolfe.
Adkins.	Dodd.
Akin.	Donnell.
Albritton.	Dowell.
Alsup.	Dwyer.
Anderson.	Elliott.
Baker.	Farmer.
Beck.	Ferguson.
Bedford.	Fisher.
Bounds.	Forbes.
Boyd.	Ford.
Brice.	Fuchs.
Brooks.	Gilbert.
Bryant.	Giles.
Burns	Goodman.
of McCulloch.	Graves.
Carpenter.	Greathouse.
Caven.	Grogan.
Claunch.	Hanson.
Coombes.	Harman.
Cox of Lamar.	Harrison
Cox of Limestone.	of El Paso.
Cunningham.	Herzik.
Dale.	Hill.

Hines.	O'Quinn.
Holder.	Patterson.
Holland.	Pope.
Holloway.	Ramsey.
Hoskins.	Ratliff.
Hubbard.	Reader.
Hughes.	Richardson.
Johnson	Rogers.
of Dallam.	Rountree.
Johnson	Sanders.
of Dimmit.	Savage.
Johnson of Morris.	Scott.
Jones of Shelby.	Shelton.
Justiss.	Smith of Bastrop.
Keller.	Sparkman.
Kennedy.	Stephens.
Lasseter.	Stevenson.
Lee.	Steward.
Lemens.	Strong.
Lilley.	Sullivant.
Long.	Tarwater.
McGregor.	Terrell
Magee.	of Val Verde.
Mehl.	Towery.
Metcalfe.	Van Zandt.
Moffett.	Veatch.
Morse.	Walker.
Munson.	Warwick.
Murphy.	Weinert.
Olsen.	Wyatt.

Nays—1.

Vaughan.

Absent.

Barron.	Lockhart.
Bond.	McCombs.
Bradley.	McDougald.
Burns of Walker.	McGill.
Coltrin.	Martin.
Dunlap.	Mathis.
Duvall.	Moore.
Farrar.	Petsch.
Finn.	Ray.
Hardy.	Satterwhite.
Harrison	Sherrill.
of Waller.	Smith of Wood.
Hatchitt.	Turner.
Hefley.	Wagstaff.
Howsley.	West of Coryell.
Jackson.	West of Cameron.
Jones of Atascosa.	Westbrook.
Kayton.	Wiggs.
Laird.	Young.
Leonard.	

Absent—Excused.

Engelhard.	Terrell
Nicholson.	of Cherokee.

The Speaker then laid House bill No. 921 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—106.

Adams of Harris.	Hubbard.
Adamson.	Hughes.
Adkins.	Johnson
Albritton.	of Dallam.
Alsup.	Johnson
Anderson.	of Dimmit.
Baker.	Johnson of Morris.
Beck.	Jones of Shelby.
Bedford.	Justiss.
Bounds.	Keller.
Boyd.	Lee.
Brice.	Leonard.
Bryant.	Lilley.
Burns	McDougald.
of McCulloch.	McGregor.
Carpenter.	Magee.
Caven.	Mehl.
Claunch.	Metcalfe.
Coombes.	Moffett.
Cox of Lamar.	Morse.
Cox of Limestone.	Munson.
Cunningham.	Murphy.
Dale.	Olsen.
Daniel.	O'Quinn.
Davis.	Patterson.
DeWolfe.	Pope.
Dodd.	Ramsey.
Donnell.	Ratliff.
Dowell.	Reader.
Dunlap.	Richardson.
Duvall.	Rogers.
Dwyer.	Rountree.
Elliott.	Sanders.
Farmer.	Scott.
Ferguson.	Shelton.
Fisher.	Sherrill.
Forbes.	Sparkman.
Ford.	Stephens.
Fuchs.	Stevenson.
Giles.	Steward.
Goodman.	Strong.
Graves.	Sullivant.
Greathouse.	Tarwater.
Grogan.	Terrell
Hanson.	of Val Verde.
Harman.	Towery.
Harrison	Van Zandt.
of El Paso.	Veatch.
Herzik.	Wagstaff.
Hill.	Walker.
Hines.	Warwick.
Holder.	Weinert.
Holland.	West of Cameron.
Holloway.	Wyatt.
Hoskins.	Young.
Howsley.	

Nays—4.

Akin.	Vaughan.
Bond.	Wiggs.

Absent.

Adams of Jasper.	Bradley.
Barron.	Brooks.

Burns of Walker.	Lockhart.
Coltrin.	Long.
Farrar.	McCombs.
Finn.	McGill.
Gilbert.	Martin.
Hardy.	Mathis.
Harrison	Moore.
of Waller.	Petsch.
Hatchitt.	Ray.
Hefley.	Satterwhite.
Jackson.	Savage.
Jones of Atascosa.	Smith of Bastrop.
Kayton.	Smith of Wood.
Kennedy.	Turner.
Laird.	West of Coryell.
Lasseter.	Westbrook.
Lemens.	

Absent—Excused.

Engelhard.	Terrell
Nicholson.	of Cherokee.

HOUSE BILL NO. 803 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 803, A bill to be entitled "An Act directing the Treasurer of the State of Texas to pay to Henry W. Baylor, William F. Hardeman, George W. Baylor, Charles W. McFaddin, Oscar D. Baker, George S. Stockley, Sidney J. Baylor, Leon Heard, Wyatt Heard, James Whitecotton, Mrs. Mittie A. Smith, Mrs. Alexander Wilkerson, Mrs. John H. Affleck and Mrs. Sarah Cunningham, each, the sum of \$360; said persons being members, or the surviving wives of deceased members of the Montel Guards, officially designated as Company 'G,' First Texas Cavalry, etc., and declaring an emergency."

The bill was read second time.

Mr. Sanders offered the following (committee) amendment to the bill:

Amend House bill No. 803 by inserting a new section to be known as Section 2a.

"Section 2a. Any county judge receiving such application shall examine same, and if in his judgment found to comply with the requirements herein above set forth, shall approve same, and immediately forward to the State Comptroller, who shall examine same, and if found to comply with the provisions of this act, draw his warrant upon the State Treasurer, for the amount hereinabove set forth, in favor of the parties entitled to same. There is hereby appropriated the sum of \$5040, or so much thereof as may be

necessary to pay said claims, and the same is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated."

The amendment was adopted.

House bill No. 803 was then passed to engrossment.

HOUSE BILL NO. 29 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 29, A bill to be entitled "An Act appropriating fifteen hundred dollars to be applied upon the purchase of a statue to be placed upon the Fort Parker Monument, when a like sum is raised by public subscription; appointing commissioners to purchase said statue and use said funds therefor, and to withdraw such appropriation upon their affidavits of the collection of such like sum by public subscription; providing for selection of successors, in case of necessity, of such commissioners, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 29 ON THIRD READING.

Mr. Cox of Limestone moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 29 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—86.

Adams of Jasper.	Gilbert.
Adamson.	Giles.
Beck.	Goodman.
Bedford.	Graves.
Bounds.	Greathouse.
Boyd.	Grogan.
Burns of Walker.	Harman.
Carpenter.	Harrison
Claunch.	of El Paso.
Coombes.	Herzik.
Cox of Limestone.	Hill.
Dale.	Holder.
Daniel.	Holloway.
Donnell.	Hoskins.
Duvall.	Howsley.
Elliott.	Hubbard.
Ferguson.	Hughes.
Fisher.	Johnson
Forbes.	of Dallam.
Ford.	Johnson of Dimmit.
Fuchs.	Johnson of Morris.

Justiss.	Ramsey.
Keller.	Ratliff.
Kennedy.	Ray.
Lemens.	Rountree.
Leonard.	Scott.
Lilley.	Shelton.
Lockhart.	Sherrill.
Long.	Sparkman.
McCombs.	Stevenson.
McDougald.	Steward.
McGregor.	Strong.
Magee.	Sullivant.
Martin.	Tarwater.
Mehl.	Terrell
Metcalfe.	of Val Verde.
Moffett.	Towery.
Moore.	Van Zandt.
Morse.	Veatch.
Munson.	Wagstaff.
Murphy.	Walker.
Nicholson.	Warwick.
Olsen.	Weinert.
O'Quinn.	Young.
Pope.	

Nays—19.

Adams of Harris.	Farrar.
Adkins.	Hanson.
Akin.	Hines.
Albritton.	Kayton.
Baker.	Rogers.
Burns	Savage.
of McCulloch.	Smith of Wood.
Caven.	Stephens.
Dodd.	Vaughan.
Farmer.	Wiggs.

Present—Not Voting.

Brice.

Absent.

Alsup.	Holland.
Anderson.	Jackson.
Barron.	Jones of Shelby.
Bond.	Jones of Atascosa.
Bradley.	Laird.
Brooks.	Lasseter.
Bryant.	Lee.
Coltrin.	McGill.
Cox of Lamar.	Mathis.
Cunningham.	Patterson.
Davis.	Petsch.
DeWolfe.	Reader.
Dowell.	Richardson.
Dunlap.	Sanders.
Dwyer.	Satterwhite.
Finn.	Smith of Bastrop.
Hardy.	Turner.
Harrison	West of Coryell.
of Waller.	West of Cameron.
Hatchitt.	Westbrook.
Hefley.	Wyatt.

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

The Speaker then laid House bill No. 29 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—76.

Adams of Jasper.	Kennedy.
Adamson.	Lemens.
Beck.	Leonard.
Bedford.	Lilley.
Bounds.	Lockhart.
Boyd.	Long.
Burns of Walker.	McDougald.
Carpenter.	Magee.
Coombes.	Martin.
Cox of Limestone.	Mehl.
Daniel.	Metcalfe.
Donnell.	Moffett.
Dowell.	Moore.
Duvall.	Morse.
Elliott.	Murphy.
Farrar.	Nicholson.
Ferguson.	Olsen.
Fisher.	O'Quinn.
Forbes.	Pope.
Ford.	Ramsey.
Giles.	Ratliff.
Goodman.	Ray.
Harrison	Richardson.
of El Paso.	Scott.
Herzik.	Shelton.
Hill.	Sherrill.
Hines.	Stevenson.
Holder.	Steward.
Holland.	Strong.
Holloway.	Sullivant.
Hoskins.	Tarwater.
Howsley.	Towery.
Hubbard.	Van Zandt.
Hughes.	Wagstaff.
Johnson	Walker.
of Dallam.	Warwick.
Johnson	Weinert.
of Dimmit.	Wyatt.
Justiss.	Young.
Keller.	

Nays—29.

Adams of Harris.	Greathouse.
Adkins.	Grogan.
Akin.	Harman.
Albritton.	Johnson of Morris.
Baker.	Kayton.
Bryant.	McCombs.
Burns	Munson.
of McCulloch.	Rogers.
Caven.	Savage.
Claunch.	Smith of Wood.
Cox of Lamar.	Sparkman.
Dale.	Stephens.
Dodd.	Vaughan.
Farmer.	Veatch.
Gilbert.	Wiggs.

Absent.

Alsup.	Jackson.
Anderson.	Jones of Shelby.
Barron.	Jones of Atascosa.
Bond.	Laird.
Bradley.	Lasseter.
Brice.	Lee.
Brooks.	McGill.
Coltrin.	McGregor.
Cunningham.	Mathis.
Davis.	Patterson.
DeWolfe.	Petsch.
Dunlap.	Reader.
Dwyer.	Rountree.
Finn.	Sanders.
Fuchs.	Satterwhite.
Graves.	Smith of Bastrop.
Hanson.	Terrell
Hardy.	of Val Verde.
Harrison	Turner.
of Waller.	West of Coryell.
Hatchitt.	West of Cameron.
Hefley.	Westbrook.

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

HOUSE BILL NO. 819 WITH SENATE AMENDMENTS.

Mr. Nicholson called up, from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 819, A bill to be entitled "An Act granting to the city of Port Arthur, Texas, all rights, title and interest of the State of Texas to certain land lying and being situated in and under the waters of Lake Sabine, and granting to said city of Port Arthur, Texas, the right, power and authority to fill in and upon such submerged land with sand, dredge spoil or other material, and granting to said city of Port Arthur such sand, dredge spoil or other material as may be necessary or desirable for such filling, etc., and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Nicholson, the House concurred in the Senate amendments by the following vote:

Yeas—102.

Mr. Speaker.	Baker.
Adams of Jasper.	Beck.
Adamson.	Bedford.
Adkins.	Bounds.
Albritton.	Boyd.

Bryant.	Johnson of Morris.
Burns of Walker.	Justiss.
Burns	Kayton.
of McCulloch.	Keller.
Carpenter.	Kennedy.
Caven.	Lemens.
Claunch.	Lilley.
Coombes.	Lockhart.
Cox of Lamar.	McCombs.
Cox of Limestone.	McDougald.
Dale.	McGill.
Daniel.	McGregor.
Dodd.	Magee.
Donnell.	Martin.
Dowell.	Mehl.
Duvall.	Metcalfe.
Elliott.	Moore.
Farrar.	Munson.
Ferguson.	Nicholson.
Fisher.	Olsen.
Forbes.	O'Quinn.
Ford.	Petsch.
Gilbert.	Pope.
Giles.	Ramsey.
Goodman.	Ratliff.
Graves.	Ray.
Greathouse.	Richardson.
Grogan.	Savage.
Hanson.	Scott.
Harman.	Shelton.
Harrison	Sherrill.
of El Paso.	Smith of Bastrop.
Harrison	Smith of Wood.
of Waller.	Sparkman.
Herzik.	Stephens.
Hill.	Steward.
Hines.	Strong.
Holder.	Sullivant.
Holland.	Tarwater.
Holloway.	Towery.
Hoskins.	Van Zandt.
Howsley.	Veatch.
Hubbard.	Wagstaff.
Hughes.	Walker.
Jackson.	Warwick.
Johnson	Weinert.
of Dallam.	West of Coryell.
Johnson	Wyatt.
of Dimmit.	

Nays—3.

Adams of Harris.	Vaughan.
Rogers.	

Present—Not Voting.

Akin.	Wiggs.
Farmer.	

Absent.

Alsup.	Coltrin.
Anderson.	Cunningham.
Barron.	Davis.
Bond.	DeWolfe.
Bradley.	Dunlap.
Brice.	Dwyer.
Brooks.	Finn.

Fuchs.	Murphy.
Hardy.	Patterson.
Hatchitt.	Reader.
Hefley.	Rountree.
Jones of Shelby.	Sanders.
Jones of Atascosa.	Satterwhite.
Laird.	Stevenson.
Lasseter.	Terrell
Lee.	of Val Verde.
Leonard.	Turner.
Long.	West of Cameron.
Mathis.	Westbrook.
Moffett.	Young.
Morse.	

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

COMMITTEE TO ATTEND FUNERAL OF DR. S. P. BROOKS.

The Speaker announced the appointment of the following committee to attend the funeral of Dr. S. P. Brooks:

Messrs. Westbrook, Harman, Ford, Gilbert and Graves.

SENATE JOINT RESOLUTION NO. 16 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. J. R. No. 16, Proposing to amend the Constitution so as to provide that no State-wide ad valorem tax for any purpose shall be levied or assessed on the homestead as defined by law.

The resolution was read second time.

On motion of Mr. Donnell, the resolution was laid on the table subject to call.

SENATE JOINT RESOLUTION NO. 28 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. J. R. No. 28, Proposing an amendment to the Constitution of Texas, by adding to Article 16 another section, Section 60, so as to authorize a Texas Centennial, commemorating the heroic period of early Texas history, and to celebrate a century of our independence and progress, times, places and manner thereof to be provided by the Legislature; authorizing an appropriation to be made therefor; providing for an election upon such proposed amendment, and making an appropriation therefor.

The resolution was read third time.

On motion of Mr. McGregor,

further consideration of the resolution was postponed until this afternoon.

SENATE BILL NO. 90 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 90, A bill to be entitled "An Act to create the Ninety-second Judicial District of Texas, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 90 ON THIRD READING.

Mr. Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 90 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—99.

Adams of Harris.	Greathouse.
Adams of Jasper.	Grogan.
Adamson.	Hardy.
Adkins.	Harman.
Alsup.	Harrison
Baker.	of El Paso.
Beck.	Harrison
Bedford.	of Waller.
Bounds.	Hatchitt.
Boyd.	Herzik.
Brice.	Hines.
Brooks.	Holland.
Bryant.	Holloway.
Burns of Walker.	Hoskins.
Burns	Howsley.
of McCulloch.	Hughes.
Carpenter.	Jackson.
Caven.	Johnson
Claunch.	of Dallam.
Coombes.	Johnson of Morris.
Cox of Lamar.	Jones of Shelby.
Cunningham.	Justiss.
Dale.	Kayton.
Daniel.	Keller.
DeWolfe.	Laird.
Donnell.	Lemens.
Dowell.	Leonard.
Duvall.	Lilley.
Elliott.	Lockhart.
Ferguson.	Long.
Finn.	McDougald.
Fisher.	McGill.
Forbes.	Magee.
Ford.	Martin.
Gilbert.	Metcalfe.
Giles.	Moffett.
Goodman.	Munson.

Nicholson.	Stephens.
Olsen.	Strong.
O'Quinn.	Sullivant.
Petsch.	Tarwater.
Pope.	Terrell
Ramsey.	of Val Verde.
Ratliff.	Van Zandt.
Richardson.	Veatch.
Rountree.	Wagstaff.
Satterwhite.	Walker.
Shelton.	Warwick.
Sherrill.	Weinert.
Smith of Bastrop.	West of Coryell.
Smith of Wood.	West of Cameron.
Sparkman.	Young.

Nays—7.

Akin.	Ray.
Dodd.	Rogers.
Graves.	Vaughan.
Kennedy.	

Present—Not Voting.

Albritton.	Farrar.
Farmer.	

Absent.

Anderson.	McCombs.
Barron.	McGregor.
Bond.	Mathis.
Bradley.	Mehl.
Coltrin.	Moore.
Cox of Limestone.	Morse.
Davis.	Murphy.
Dunlap.	Patterson.
Dwyer.	Reader.
Fuchs.	Sanders.
Hanson.	Savage.
Hefley.	Scott.
Hill.	Stevenson.
Holder.	Steward.
Hubbard.	Towery.
Johnson	Turner.
of Dimmit.	Westbrook.
Jones of Atascosa.	Wiggs.
Lasseter.	Wyatt.
Lee.	

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

The Speaker then laid Senate bill No. 90 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—111.

Mr. Speaker.	Albritton.
Adams of Harris.	Alsup.
Adams of Jasper.	Baker.
Adamson.	Barron.
Adkins.	Beck.
Akin.	Bedford.

Bond.	Johnson of Morris.
Bounds.	Jones of Shelby.
Boyd.	Justiss.
Brice.	Kayton.
Brooks.	Keller.
Bryant.	Laird.
Burns of Walker.	Lemens.
Burns	Leonard.
of McCulloch.	Lilley.
Carpenter.	Lockhart.
Caven.	Long.
Claunch.	McDougald.
Coombes.	McGill.
Cox of Lamar.	Magee.
Cunningham.	Martin.
Dale.	Mehl.
Daniel.	Metcalfe.
Davis.	Moffett.
De Wolfe.	Moore.
Donnell.	Morse.
Dowell.	Munson.
Duvall.	Murphy.
Elliott.	Nicholson.
Farrar.	Olsen.
Ferguson.	O'Quinn.
Fisher.	Patterson.
Forbes.	Petsch.
Ford.	Pope.
Gilbert.	Ramsey.
Giles.	Ratliff.
Greathouse.	Rountree.
Grogan.	Sanders.
Hardy.	Satterwhite.
Harman.	Shelton.
Harrison	Sherrill.
of El Paso.	Smith of Bastrop.
Harrison	Sparkman.
of Waller.	Steward.
Herzik.	Strong.
Hill.	Sullivant.
Hines.	Tarwater.
Holder.	Terrell
Holland.	of Val Verde.
Holloway.	Van Zandt.
Hoskins.	Veatch.
Howsley.	Wagstaff.
Hubbard.	Walker.
Hughes.	Warwick.
Jackson.	Weinert.
Johnson	West of Coryell.
of Dallam.	West of Cameron.
Johnson	Young.
of Dimmit.	

Nays—9.

Dodd.	Rogers.
Finn.	Smith of Wood.
Graves.	Stephens.
Kennedy.	Vaughan.
Ray.	

Present—Not Voting.

Farmer.	Hanson.
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Absent.

Anderson.	Coltrin.
Bradley.	Cox of Limestone.

Dunlap.	Mathis.
Dwyer.	Reader.
Fuchs.	Richardson.
Goodman.	Savage.
Hatchitt.	Scott.
Hefley.	Stevenson.
Jones of Atascosa.	Towery.
Lasseter.	Turner.
Lee.	Westbrook.
McCombs.	Wiggs.
McGregor.	Wyatt.

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

SENATE BILL NO. 407 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 407, A bill to be entitled "An Act to amend Section 9, Chapter 14, Acts Forty-first Legislature, Third Called Session, so as to provide for aid to consolidated districts formed subsequent to January 1, 1917, and prior to September 1, 1929, under certain conditions and regulations, and declaring an emergency."

The bill was read third time.

(Mr. DeWolfe in the chair.)

Mr. Holder offered the following amendment to the bill:

Amend Senate bill No. 407 at the end of Section 1, by adding the following:

"Provided, however, that the amount herein provided for shall be paid out of the appropriation set out in Section 9, Chapter 14, Acts of the Forty-first Legislature, and if said appropriation is insufficient to pay all schools entitled under the act to receive same each school entitled to receive the benefits of this bill shall receive a pro rata amount of said appropriation, and provided further that all claims under this act shall be made on or before June 15, 1931."

HUGHES.
HOLDER,

The amendment was lost.

Senate bill No. 407 was then passed by the following vote:

Yeas—64.

Adams of Jasper.	Baker.
Adamson.	Barron.
Adkins.	Beck.
Akin.	Bedford.
Alsup.	Bounds.

Boyd.	Laird.
Bryant.	Lee.
Burns of Walker.	Lemens.
Burns	Lockhart.
of McCulloch.	McGill.
Carpenter.	Metcalf.
Caven.	Moffett.
Cox of Limestone.	Morse.
Dale.	Petsch.
Davis.	Ratliff.
Dodd.	Reader.
Dunlap.	Richardson.
Ferguson.	Rogers.
Fisher.	Rountree.
Gilbert.	Satterwhite.
Giles.	Scott.
Graves.	Sparkman.
Hanson.	Stephens.
Harrison	Steward.
of Waller.	Strong.
Hatchitt.	Sullivant.
Hill.	Terrell
Hines.	of Val Verde.
Holland.	Towery.
Hoskins.	Van Zandt.
Hubbard.	Wagstaff.
Jackson.	Walker.
Johnson	West of Cameron.
of Dallam.	Wiggs.

Nays—49.

Adams of Harris.	Johnson
Albritton.	of Dimmit.
Anderson.	Justiss.
Brooks.	Kayton.
Claunch.	Kennedy.
Coombes.	Lasseter.
DeWolfe.	Lilley.
Donnell.	Magee.
Duvall.	Martin.
Dwyer.	Moore.
Elliott.	Munson.
Farmer.	Murphy.
Farrar.	Nicholson.
Forbes.	Olsen.
Ford.	O'Quinn.
Goodman.	Patterson.
Greathouse.	Pope.
Grogan.	Ray.
Hardy.	Savage.
Harman.	Sherrill.
Herzik.	Smith of Wood.
Holder.	Vaughan.
Holloway.	Veatch.
Howsley.	Weinert.
Hughes.	West of Coryell.

Present—Not Voting.

Cunningham.

Absent.

Bond.	Cox of Lamar.
Bradley.	Daniel.
Brice.	Dowell.
Coltrin.	Finn.

Fuchs.	Mathis.
Harrison	Mehl.
of El Paso.	Ramsey.
Hefley.	Sanders.
Jones of Shelby.	Shelton.
Jones of Atascosa.	Smith of Bastrop.
Johnson of Morris.	Stevenson.
Keller.	Tarwater.
Leonard.	Turner.
Long.	Warwick.
McCombs.	Westbrook.
McDougald.	Wyatt.
McGregor.	Young.

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

Mr. Sullivant moved to reconsider the vote by which the bill was passed and to table the motion to reconsider. The motion to table prevailed.

Mr. Kayton moved a call of the House for the purpose of maintaining a quorum until 12 o'clock m. today, and the call was not seconded.

SENATE BILL NO. 528 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 528, A bill to be entitled "An Act amending Article 827 of the Penal Code of the State of Texas, Revised Criminal Statutes of 1925, so as to require street railways and motor busses in cities of not less than 40,000 inhabitants to carry all school children for one-half the fare regularly collected for the transportation of adults, and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—102.

Adams of Jasper.	Burns
Adamson.	of McCulloch.
Adkins.	Carpenter.
Akin.	Caven.
Albritton.	Claunch.
Alsup.	Coombes.
Anderson.	Cox of Limestone.
Baker.	Cunningham.
Barron.	Davis.
Beck.	Dodd.
Bedford.	Donnell.
Bounds.	Dowell.
Boyd.	Duvall.
Brice.	Dwyer.
Brooks.	Elliott.
Bryant.	Farmer.
Burns of Walker.	Ferguson.

Finn.	Mehl.
Fisher.	Moffett.
Forbes.	Morse.
Ford.	Munson.
Gilbert.	Murphy.
Giles.	Olsen.
Goodman.	O'Quinn.
Greathouse.	Pope.
Grogan.	Ratliff.
Hanson.	Ray.
Harman.	Reader.
Harrison	Richardson.
of Waller.	Rogers.
Herzik.	Rountree.
Hill.	Sanders.
Hines.	Satterwhite.
Holder.	Savage.
Holloway.	Scott.
Hoskins.	Sherrill.
Howsley.	Smith of Bastrop.
Hubbard.	Sparkman.
Hughes.	Stephens.
Jackson.	Steward.
Johnson of Morris.	Strong.
Justiss.	Tarwater.
Keller.	Towery.
Kennedy.	Van Zandt.
Laird.	Vaughan.
Lasseter.	Veatch.
Lee.	Walker.
Lilley.	Warwick.
McDougald.	Weinert.
McGill.	West of Coryell.
Magee.	West of Cameron.
Martin.	Wyatt.

Nays—3.

Kayton.	Nicholson.
Lockhart.	

Present—Not Voting.

DeWolfe.

Absent.

Adams of Harris.	Jones of Atascosa.
Bond.	Lemens.
Bradley.	Leonard.
Coltrin.	Long.
Cox of Lamar.	McCombs.
Dale.	McGregor.
Daniel.	Mathis.
Dunlap.	Metcalfe.
Farrar.	Moore.
Fuchs.	Patterson.
Graves.	Petsch.
Hardy.	Ramsey.
Harrison	Shelton.
of El Paso.	Smith of Wood.
Hatchitt.	Stevenson.
Hefley.	Sullivant.
Holland.	Terrell of Val Verde.
Johnson	Turner.
of Dallam.	Wagstaff.
Johnson	Westbrook.
of Dimmit.	Wiggs.
Jones of Shelby.	Young.

Absent—Excused.

Engelhard. Terrell
of Cherokee.

SENATE BILL NO. 586 ON THIRD
READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 586, A bill to be entitled "An Act (1) to amend Section 14 of Chapter — of the Acts of the Forty-first Legislature of Texas, Regular Session, and clarifying the intent of said Section 14 as the same would relate to Section 132 of Chapter 25 of the Acts of the Thirty-ninth Legislature, Regular Session, and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—106.

Adams of Harris.	Giles.
Adams of Jasper.	Goodman.
Adamson.	Graves.
Adkins.	Greathouse.
Akin.	Grogan.
Albritton.	Hanson.
Anderson.	Hardy.
Baker.	Harman.
Barron.	Harrison.
Beck.	of Waller.
Bedford.	Herzik.
Bounds.	Hill.
Boyd.	Hines.
Brice.	Holder.
Brooks.	Holloway.
Bryant.	Howsley.
Burns of Walker.	Hubbard.
Burns	Hughes.
of McCulloch.	Jackson.
Carpenter.	Johnson of Morris.
Caven.	Justiss.
Claunch.	Keller.
Coombes.	Kennedy.
Cox of Limestone.	Laird.
Cunningham.	Lasseter.
Daniel.	Lee.
Davis.	Lemens.
Dodd.	Lilley.
Donnell.	Lockhart.
Dunlap.	McDougald.
Duvall.	McGill.
Dwyer.	Magee.
Elliott.	Mehl.
Farmer.	Moffett.
Farrar.	Morse.
Ferguson.	Munson.
Finn.	Murphy.
Forbes.	Olsen.
Ford.	O'Quinn.
Fuchs.	Petsch.
Gilbert.	Pope.

Ratliff.	Tarwater.
Ray.	Terrell
Richardson.	of Val Verde.
Rogers.	Towery.
Rountree.	Van Zandt.
Satterwhite.	Vaughan.
Savage.	Veatch.
Shelton.	Wagstaff.
Sherrill.	Walker.
Smith of Bastrop.	Warwick.
Smith of Wood.	West of Coryell.
Sparkman.	West of Cameron.
Steward.	Wyatt.
Strong.	

Present—Not Voting.

Fisher. Nicholson.

Absent.

Alsup.	Leonard.
Bond.	Long.
Bradley.	McCombs.
Coltrin.	McGregor.
Cox of Lamar.	Martin.
Dale.	Mathis.
DeWolfe.	Metcalfe.
Dowell.	Moore.
Harrison	Patterson.
of El Paso.	Ramsey.
Hatchitt.	Reader.
Hefley.	Sanders.
Holland.	Scott.
Hoskins.	Stephens.
Johnson	Stevenson.
of Dallam.	Sullivant.
Johnson	Turner.
of Dimmit.	Weinert.
Jones of Shelby.	Westbrook.
Jones of Atascosa.	Wiggs.
Kayton.	Young.

Absent—Excused.

Engelhard. Terrell
of Cherokee.

SENATE BILL NO. 612 ON THIRD
READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 612, A bill to be entitled "An Act providing for the granting of certain easements to the United States government in a portion of the present and former bed of Sabine Lake in and adjacent to the Port Arthur Canal and the Sabine-Neches Canal; providing the means and manner thereof; providing exceptions and the purposes thereof, and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—106.

Adams of Harris.	Jackson.
Adams of Jasper.	Johnson
Adamson.	of Dallam.
Adkins.	Johnson of Morris.
Akin.	Jones of Shelby.
Albritton.	Justiss.
Alsup.	Keller.
Anderson.	Kennedy.
Baker.	Laird.
Bedford.	Lasseter.
Bond.	Lee.
Bounds.	Lemens.
Boyd.	Lilley.
Brice.	Lockhart.
Brooks.	McGill.
Bryant.	McGregor.
Burns of Walker.	Mehl.
Burns	Moffett.
of McCulloch.	Morse.
Carpenter.	Munson.
Caven.	Murphy.
Claunch.	Nicholson.
Coombes.	Olsen.
Cox of Limestone.	O'Quinn.
Cunningham.	Petsch.
Daniel.	Pope.
DeWolfe.	Ratliff.
Dodd.	Ray.
Donnell.	Richardson.
Dowell.	Rogers.
Duvall.	Satterwhite.
Dwyer.	Scott.
Elliott.	Shelton.
Farrar.	Sherrill.
Ferguson.	Smith of Bastrop.
Finn.	Smith of Wood.
Fisher.	Sparkman.
Forbes.	Stephens.
Ford.	Steward.
Fuchs.	Sullivant.
Gilbert.	Tarwater.
Giles.	Terrell
Goodman.	of Val Verde.
Greathouse.	Towery.
Grogan.	Van Zandt.
Hanson.	Vaughan.
Hardy.	Veatch.
Harman.	Wagstaff.
Hatchitt.	Walker.
Herzik.	Warwick.
Hill.	West of Coryell.
Hines.	West of Cameron.
Holloway.	Wyatt.
Hoskins.	Young.
Hughes.	

Present—Not Voting.

Farmer.

Absent.

Barron.	Dale.
Beck.	Davis.
Bradley.	Dunlap.
Coltrin.	Graves.
Cox of Lamar.	

Harrison	Magee.
of El Paso.	Martin.
Harrison	Mathis.
of Waller.	Metcalf.
Hefley.	Moore.
Holder.	Patterson.
Holland.	Ramsey.
Howsley.	Reader.
Hubbard.	Rountree.
Johnson	Sanders.
of Dimmit.	Savage.
Jones of Atascosa.	Stevenson.
Kayton.	Strong.
Leonard.	Turner.
Long.	Weinert.
McCombs.	Westbrook.
McDougald.	Wiggs.

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, May 14, 1931.

Hon. Fred H. Minor, Speaker of the
House of Representatives.Sir: I am directed by the Senate
to inform the House that the Senate
has concurred in House amendments
to:

Senate bill No. 437, yeas 30, nays 0.
Senate bill No. 614, yeas 30, nays 0.
Senate bill No. 617, yeas 30, nays 0.

Respectfully,

BOB BARKER,
Secretary of the Senate.COMMUNICATION FROM HON.
JOUETT SHOUSE.On motion of Mr. Keller, the fol-
lowing communication was ordered
printed in the Journal:

Washington, D. C., May 14, 1931.

Hon. Bob Barker, Secretary of the
Senate, Austin, Texas:Back at my desk this morning fol-
lowing my very delightful trip to
Austin. Will you on my behalf con-
vey to the members of both Houses
of the Legislature the pleasure I had
in visiting them and my appreciation
of their courtesy in extending the in-
vitation.

JOUETT SHOUSE.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, May 14, 1931.

Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted Senate concurrent resolution No. 49, Requesting the return of Senate bill No. 72 from the Governor's office for correction.

Adopted House concurrent resolution No. 57, Relating to soil and water conservation.

Adopted House concurrent resolution No. 63, Instructing the Enrolling Clerk of the House to correct the caption of House joint resolution No. 6.

Respectfully,
BOB BARKER,
Secretary of the Senate.

RECALLING SENATE BILL NO. 72 FROM GOVERNOR.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 48, Recalling Senate bill No. 72 for further consideration.

Whereas, Senate bill No. 72 is now in the Governor's office; and

Whereas, It is the desire of the author of this bill to correct the bill so as to make the body conform to the caption; now therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the Governor be requested to return said bill for correction.

The resolution was read second time and was adopted.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 1019. "An Act limiting the amount of white perch, crappie or bass that may lawfully be taken in one day from the public fresh waters of Dallas county, Texas; prescribing penalties for violating this act, and declaring an emergency."

H. B. No. 907, "An Act fixing a period of time when it shall be lawful to take and hunt and kill squirrels in Panola county; defining a misdemeanor, and declaring an emergency."

H. B. No. 713, "An Act providing for the transfer of title of certain lands to the State Highway Commission, consisting of two separate tracts, one being across Copano Pass in Aransas county. the other across Lavaca Bay in Calhoun county, lying under, along and adjacent to the causeway and their approaches now under construction on State Highway No. 57, and declaring an emergency."

NOTICE GIVEN.

Mr. Adams of Jasper gave notice that he would, on tomorrow, move to take up, for consideration at that time, House bill No. 414, which bill had heretofore been laid on the table subject to call.

RECESS.

On motion of Mr. Adkins, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 335.

On motion of Mr. Murphy, the following conference committee report and statement by the minority of the committee was ordered printed in the Journal:

Free conference committee report on House Bill No. 335.

Hon. Edgar E. Witt, President of the Senate, and Hon. Fred H. Minor, Speaker of the House.

Gentlemen: We, the Free Conference Committee on House bill No. 335, being

"An Act to amend Chapter 314, General Laws of the State of Texas, Forty-first Legislature, Regular Session, as amended at the Second Called Session thereof, so as to further regulate motor carriers transporting property over the public highways," etc.,

Have had the same under consideration and we beg leave to report it back with the recommendation that it do not pass but that the following committee substitute bill do pass in lieu thereof:

Committee substitute to House bill No. 335.

A BILL

To Be Entitled

"An Act to amend Chapter 314, General Laws of the State of Texas, Forty-first Legislature, Regular Session, as amended by Chapter 24 of the General Laws of the Second Called Session thereof, so as to further regulate motor carriers transporting property for hire over the public highways; defining the terms 'person,' 'Commission,' 'Highway Commission,' 'public highway,' 'certificate,' 'permit,' 'motor carrier,' and 'contract carrier'; placing all motor carriers under the jurisdiction of the Railroad Commission of the State of Texas; providing that no motor carrier shall hereafter operate as a common carrier without having a certificate of convenience and necessity and that no motor carrier shall hereafter operate as a contract carrier without having a permit; giving to the Railroad Commission of the State of Texas power and imposing upon it the duty to fix, prescribe or approve maximum or minimum or maximum and minimum rates, fares and charges for motor carriers doing business as common carriers and minimum rates, fares and charges for motor carriers operating as contract carriers, to require all motor carriers to keep certain accounts and to file such reports as the Commission may deem necessary, to require each operator of a motor-propelled vehicle operated by a motor carrier to have a driver's license and prescribing fees therefor and to regulate motor carriers in all other matters affecting their relationship with the shipping public and so as to relieve existing and future undue burdens on the highways; making it unlawful for a motor carrier to operate a motor-propelled vehicle unless such vehicle is operated by a driver holding an unrevoked and uncanceled license issued by the Commission; giving the Commission the power and imposing upon it the duty to approve or disapprove the nature and character of equipment used and the amount and character of tonnage carried and the number, size and method of loading containers of any commodity carried on any vehicle operated by a motor carrier under a permit or cer-

tificate; providing for the sale, lease, assignment or transfer of certificates under certain conditions and subject to the approval or disapproval of the Commission; prescribing the length of time a motor carrier may require or permit any driver or helper to remain on continuous duty with exception in cases of a certain specified emergency and providing venue for prosecution for violations of this provision; providing for the carrying and displaying of identification cards setting out the certificate or permit number and certain other information in the cab of each motor vehicle operated under this act, and making it unlawful to display such card or other insignia of authority from the Commission after the same has expired or been cancelled; providing the method for securing of certificates of convenience and necessity and permits, the requisites of applications therefor, for hearing on said applications, for the summoning of, the attendance of, the examining of and the fees for witnesses, for the filing of written opinions by the Commission in contested hearings, and giving the Commission power under certain conditions to revoke, suspend or amend any certificate or permit and providing for appeals from the decisions of the Railroad Commission of the State of Texas; providing the method for securing of certificates and permits by motor carriers lawfully operating under the present law; providing that no permit shall be granted to any person holding a certificate and that no certificate shall be granted to any person holding a permit and that no vehicle shall be operated with both a permit and a certificate; providing for the issuance of special permits to persons engaged in transporting certain specified commodities; providing for the issuance of special identification plates for motor carrier vehicles, and prescribing fees therefor; providing for the payment of annual fees for each motor vehicle operated by a motor carrier for the creation of a fund for administering the act; providing that no person now lawfully authorized to operate as a motor carrier under the present law and who has paid annual fees for the year ending September 1, 1931, shall be required to pay any additional fees; providing a portion from sales of certificates shall go

to the State Treasurer for the benefit of the State Highway Fund; appropriating a fund for the administration of the act in the event revenues from licenses and fees are insufficient for that purpose; requiring that, before any certificate or permit shall be issued and before any motor carrier may lawfully operate, such motor carrier shall file with the Commission bonds and insurance policies covering loss or damages from personal injury or loss of or injury to property and containing certain designated terms, and providing that any permit will automatically expire if such insurance is not kept in force, and providing that each motor carrier shall protect his employes by taking out workmen's compensation insurance; giving any authorized inspector for the Commission power and authority to make arrests for violations of this act; making the violation of any provision of the act or any lawful ruling or order of the Commission a misdemeanor and imposing a penalty and, in addition, providing for the recovery of penalties by the State for the violation of any provision of the act or for the violation of any lawful rule or order of the Commission; providing for the remedy of injunction to enforce the act; making the giving or receiving of any commission or other consideration as an inducement to secure the transportation of property by motor carrier a misdemeanor and imposing a penalty; making the giving by any common carrier, motor carrier or the receiving by any shipper of any rebate, directly or indirectly, a misdemeanor and imposing a penalty; making the charging, demanding, contracting for, collecting or receiving by any motor carrier operating as a contract carrier, of a less compensation for any service than is prescribed therefor by the Commission or the procuring, aiding or abetting any contract carrier in so doing a misdemeanor and imposing a penalty; declaring the public policy of this State with reference to the business of transporting property for hire by means of motor vehicles over the highways of this State and declaring that the business of a motor carrier is impressed with the public interest; reenacting all laws and parts of laws in conflict therewith; providing that if any part of this act is declared unconstitutional such decision shall

not affect the validity of the remaining portions of the act and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 1 of Chapter 314, General Laws of the State of Texas, Forty-first Legislature, Regular Session, as amended by Chapter 24 of the General Laws of the Second Called Session thereof, regulating motor carriers transporting property over public highways, be and the same is hereby amended to read as follows:

"Section 1. Definitions.—When used in this act unless expressly stated otherwise:

"(a) The term 'person' means and includes an individual, a firm, copartnership, corporation, company, an association or a joint stock association.

"(b) The term 'Commission' means the Railroad Commission of the State of Texas.

"(c) The term 'Highway Commission' means the Board of Highway Commissioners of the State of Texas.

"(d) The term 'public highway' means every street, road or highway in this State.

"(e) The term 'certificate' means certificate of public convenience and necessity issued under this act.

"(f) The term 'permit' means the permit issued to contract carriers under the terms of this act.

"(g) The term 'motor carrier' means any person, firm, corporation, company, copartnership, association or joint stock association, and their lessees, receivers or trustees appointed by any court whatsoever, owning, controlling, managing, operating or causing to be operated any motor-propelled vehicle used in transporting property for compensation or hire over any public highway in this State, where in the course of such transportation a highway between two or more incorporated cities, towns or villages is traversed; provided, that the term 'motor carrier' as used in this act shall not include, and this act shall not apply to motor vehicles operated exclusively within the incorporated limits of cities or towns.

"(h) The term 'contract carrier' means any motor carrier as hereinabove defined transporting property for compensation or hire over any

highway in this State other than as a common carrier."

Sec. 2. That Section 2 of said chapter be and the same is hereby amended to read as follows:

"Section 2. No motor carrier, as defined in the preceding section, shall operate any motor-propelled vehicle for the purpose of the transportation or carriage of property for compensation or hire over any public highway in the State except in accordance with the provisions of this act; provided, however, that nothing in this act or any provision thereof shall be construed or held to in any manner affect, limit or deprive cities and towns from exercising any of the powers granted them by Chapter 147, pages 307 to 318, inclusive of the General Laws of the State of Texas, passed by the Thirty-third Legislature, or any amendments thereto."

Sec. 3. That Section 3 of the said chapter be and the same is hereby amended to read as follows:

"Section 3. No motor carrier shall, after this act goes into effect, operate as a common carrier without first having obtained from the Commission, under the provisions of this act, a certificate of public convenience and necessity pursuant to a finding to the effect that the public convenience and necessity requires such operation. No motor carrier shall, after this act goes into effect, operate as a common carrier without first having obtained from the Commission a permit so to do, which permit shall not be issued until the applicant shall have in all things complied with the requirements of this act."

Sec. 4. That Section 4 of said chapter be and the same is hereby amended to read as follows:

"Section 4. (a) The Commission is hereby vested with power and authority and it is hereby made its duty to supervise and regulate the transportation of property for compensation or hire by motor vehicle on any public highway in this State, to fix, prescribe or approve the maximum or minimum or maximum and minimum rates, fares and charges of each motor carrier in accordance with the specific provisions herein contained, to prescribe all rules and regulations necessary for the government of motor carriers,

to prescribe rules and regulations for the safety of operations of each of such motor carriers, to require the filing of such monthly, annual or other reports and other data of motor carriers as the Commission may deem necessary, to prescribe the schedules and services of motor carriers operating as common carriers, and to supervise and regulate motor carriers in all matters affecting the relationship between such carriers and the shipping public whether herein specifically mentioned or not.

"(b) The Commission is hereby vested with power and authority and it is hereby made its duty to require that each driver of a motor-propelled vehicle owned or operated by a motor carrier under the provisions of this act shall have a driver's license, which license shall be issued by the Commission pursuant to an examination testing the ability and fitness of the applicant and under such rules and regulations as the Commission may prescribe; provided, that every driver aforesaid shall acquire a driver's license within thirty (30) days after this act takes effect and shall annually thereafter on or before the anniversary of the date of the original license acquire a renewal thereof. Such license issued shall be for a term of one year. The Commission is empowered further to issue temporary licenses, in case of emergency, for such term as the Commission may deem expedient; provided, such term shall not exceed ten (10) days and there shall be no right or privilege of renewal thereof. The Commission is hereby authorized to collect a fee of one dollar (\$1.00) for each annual license fee or renewal. The Commission may suspend or revoke any such license for cause after notice and public hearing. It shall be unlawful for any motor carrier to operate a motor-propelled vehicle in this State unless such vehicle is operated by a driver holding an unrevoked and uncanceled license issued by the Commission.

"(c) The Commission is further authorized and empowered, and it shall be its duty, to supervise and regulate motor carriers in all matters affecting the relationship between such motor carriers and the shipping public that may be necessary in the interest of the public.

"(d) The Commission is further authorized and empowered, and it shall be its duty, to supervise and

regulate motor carriers in all matters whether specifically mentioned herein or not so as to carefully preserve, foster and regulate transportation and to relieve the existing and all future undue burdens on the highways arising by reason of the use of the highways by motor carriers, adjusting and administering its regulations in the interests of the public.

"The Commission, in prescribing and adopting rules and regulations and in forming its conclusions and in prescribing its orders, shall invite the Highway Commission's opinion on the condition of the public highways involved and the ability of said highways to carry the existing and proposed additional traffic, and the Commission shall give due and proper consideration to the orders, regulations, ordinances or recommendations of the Highway Commission of Texas; provided, however, nothing herein contained shall be deemed to restrict the powers of the Highway Commission under existing laws. The Commission shall also give due and proper consideration to the recommendations of the commissioners courts of the several counties and to the recommendations of the local government of any municipality through or between which motor carriers operate."

Sec. 5. That Section 5 of said chapter be and the same is hereby amended to read as follows:

"Sec. 5. No motor carrier shall hereafter operate as a common carrier for the transportation of property for compensation or hire over the public highways of this State without first having obtained from the Commission, under the provisions of this act, a certificate declaring that the public convenience and necessity requires such operation; provided, however, the Commission shall, without application or hearing when this act goes into effect, issue all motor carriers then operating lawfully under permanent certificates of public convenience and necessity heretofore issued to them, certificates in lieu of the certificates issued under the terms of the former law covering the same routes that said common carrier shall have been operating over, and no more.

"Any certificate held, owned or obtained by any motor carrier operat-

ing as a common carrier under the provisions of this act may be sold, assigned, leased, transferred or inherited; provided, however, that any proposed sale, lease, assignment or transfer shall be first presented in writing to the Commission for its approval or disapproval, and the Commission may disapprove such proposed sale, assignment, lease or transfer if it be found and determined by the Commission that such proposed sale, assignment, lease or transfer is not in good faith or that the proposed purchaser, assignee, lessee or transferee is not able or capable of continuing the operation of the equipment proposed to be sold, assigned, leased or transferred in such manner as to render the services demanded by the public necessity and convenience on and along the designated route, or that said approved sale, assignment, lease or transfer is not best for the public interest; the Commission, in approving or disapproving any sale, assignment, lease or transfer of any certificate, may take into consideration all of the requirements and qualifications of a regular applicant required in this act and apply same as necessary qualifications of any proposed purchaser, assignee, lessee or transferee; provided, however, that in case a certificate is transferred that the transferee shall pay to the Commission a sum of money equal to ten per cent (10%) of the amount paid as a consideration for the transfer of the certificate, which sum of ten per cent (10%) shall be deposited in the State Treasury to the credit of the highway fund of the State; provided further, that any certificate obtained by any motor carrier or by any assignee or transferee shall be taken and held subject to the right of the State at any time to limit, restrict or forbid the use of the streets and highways of this State to any holder or owner of such certificate. Every application filed with the Commission for an order approving the lease, sale or transfer of any certificate of convenience and necessity shall be accompanied by a filing fee in the sum of twenty-five dollars (\$25) which fee shall be in addition to the other fees and taxes and shall be retained by the Commission whether the lease, sale or transfer of the certificate of convenience and necessity is approved or not."

Section 6. That Section 6 of said chapter be and the same is hereby amended so as to read as follows, and the same is hereby further amended by adding Section 6aa, Section 6bb, and Section 6cc:

"Section 6. (a) No motor carrier now operating as a contract carrier or that may hereafter desire to engage in the business of a contract carrier shall so operate until it shall have received a permit from the Commission to engage in such business and such permit shall not be issued until the applicant shall have in all things complied with the requirements of this act; nor shall such permit be issued unless the character of business being done or to be done by the applicant strictly conforms with the definition of a contract carrier. The Commission shall have the power to suspend for ten (10) days any existing permit after notice and hearing and to revoke any existing permit when it appears that such permit holder has disobeyed or violated any provision of this act or of general laws regulating motor vehicles or violated any rule or regulation of the Commission authorized by this act.

"(b) No application for a permit shall be considered by the Commission unless it be reduced to writing and set forth the following facts:

"(1) It shall contain the name and address of the applicant and the names and addresses of its officers, if any, and shall give full information concerning the financial condition and physical properties of the applicant.

"(2) The application shall set forth the nature of the transportation in which the applicant wishes to engage stating substantially the territory to be covered by the operation and including the condition and character of the roads over which the transportation is to be performed.

"(3) It shall give a description of each vehicle which the applicant intends to use, including weight and size of vehicle and its carrying capacity.

"(c) No application for permit shall be granted by the Commission until after a hearing nor shall any such permit be granted if the Commission shall be of the opinion that the proposed operation of any such contract carrier will impair the efficient public service of any authorized common carrier or common carriers then ad-

equately serving the same territory; provided, however, any person now lawfully operating as a Class 'B' operator in this State who may desire to continue in the business of a motor carrier shall file an application for a permit or certificate under the terms of this act within thirty (30) days after the effective date hereof and it shall be the duty of the Commission to determine such applications forthwith and such applicants may, subject to the provisions of this act and to the orders, rules, rates and regulations of the Commission continue to operate as motor carriers pending the determination by the Commission of such application.

"(d) The Railroad Commission is hereby given authority to issue upon application to those persons who desire to engage in the business of transporting for hire over the highways of this State live stock, mohair, wool, milk, live stock feed stuffs, household goods, oil field equipment, timber when in its natural state, farm machinery and grain special permits upon such terms, conditions and restrictions as the Railroad Commission may deem proper, and to make rules and regulations governing such operations keeping in mind the protection of the highways and the safety of the traveling public; provided, that if this act or any section, subsection, sentence, clause or phrase thereof, is held unconstitutional and invalid by reason of the inclusion of this subsection, the Legislature hereby declares that it would have passed this act and any such section, subsection, sentence, clause or phrase thereof without this subsection.

"Section 6aa. The Commission is hereby vested with power and authority and it is hereby made its duty to prescribe rules and regulations covering the operation of contract carriers in competition with common carriers over the highways of this State and the Commission shall prescribe minimum rates, fares and charges to be collected by such contract carriers which shall not be less than the rates prescribed for common carriers for substantially the same service.

"Section 6bb. No application for permit to operate as a contract carrier shall be granted by the Commission to any person operating as a common carrier and holding a certificate of convenience and necessity, nor shall any application for certificate of

convenience and necessity be granted by the Commission to any person operating as a contract carrier nor shall any vehicle be operated by any motor carrier with both a permit and a certificate.

"Section 6cc. No motor carrier operating in whole or in part in this State under a certificate or permit issued by the Railroad Commission of Texas, or any officer or agent of such motor carrier, shall require or knowingly permit any truck driver or his helper to drive or operate a truck for a period longer than fourteen (14) consecutive hours; and whenever such driver or helper shall have been continuously on such duty for fourteen (14) hours, he shall be relieved and shall not be required or knowingly permitted to again go on duty until he has had at least eight (8) consecutive hours off duty; and no such driver or helper who has been on such duty fourteen (14) hours in the aggregate in any twenty-four (24) hour period, shall be required or knowingly permitted to continue or again go on duty without having had at least eight (8) consecutive hours off duty; and venue for prosecution under this section shall lie in the county of the residence of the defendant; provided, that in cases of emergency caused by the act of God, the foregoing restrictions as to hours shall not apply."

Sec. 7. That Section 7 of said chapter be and the same is hereby amended to read as follows:

"Section 7. For the purpose of defraying the expenses of administering this act every motor carrier operating as a contract carrier shall, at the time of the issuance of a permit to him and annually thereafter on or between September 1st and September 15th of each calendar year pay a special fee of ten dollars (\$10) for each motor vehicle operated or to be operated by such motor carrier. If the permit herein referred to is issued after the month of September of any year the fee paid shall be prorated to the remaining portion of the year ending August 31st following, but in no case less than one-fourth ($\frac{1}{4}$) the annual fee. Provided, that no person now authorized by law to operate as a Class 'A' or Class 'B' motor carrier, and who has paid annual vehicle fees required by law of the holders of certificates or permits for the year

ending September 1, 1931, shall be required to pay any additional vehicle fees or additional fees incident to the issuance of certificates or permits required in this act, for the year ending September 1, 1931, in lieu of those now required by law. Every application for a permit shall be accompanied by a filing fee in the sum of ten dollars (\$10), which fee shall be in addition to other fees and taxes and shall be retained by the Commission whether the permit be granted or not."

Section 8. That Section 8 of said chapter be and the same is hereby amended to read as follows:

"Section 8. The Commission is hereby vested with power and authority, and it is hereby made its duty upon the filing of an application for a certificate of public convenience and necessity to ascertain and determine under such rules and regulations as it may promulgate, after considering existing transportation facilities, and the demand for, or need of additional service, if there exists a public necessity for such service, and if public convenience will be promoted by granting said application and permitting the operating of motor vehicles on the highways designated in such application as a common carrier for hire."

Sec. 9. That Section 9 of said chapter be and the same is hereby amended to read as follows:

"Section 9. The Commission shall ascertain and determine if a particular highway or highways designated in an application for a certificate of public convenience and necessity are of such type of construction or in such state of repair, or subject to such use as to permit of the use sought to be made by the applicant, without unreasonable interference with the use of such highways by the general public for highway purposes. And if the Commission shall determine, after hearing, that the service rendered by existing transportation facilities or agencies is reasonably adequate, or that public convenience would not be promoted by granting of said application, and the operation of motor vehicles on the public highways therein designated, or that such highway or highways are not in such state of repair, or are already subject to such use as would not permit of the use sought to be made by the applicant

without unreasonable interference with the use of such highways by the general public for highway purposes, then in either or any of such events said application may be denied and said certificate refused, otherwise the application shall be granted and the certificate issued upon such terms and conditions as said Commission may impose and subject to such rules and regulations as it has or may thereafter prescribe.

"In determining whether or not a certificate should be issued to a motor carrier, the Commission shall give weight and due regard to:

"(1) Probable permanence and the quality of service offered by the applicant.

"(2) The financial ability and responsibility of the applicant and its organization and personnel.

"(3) The character of vehicles and the character and location of depots or termini proposed to be used.

"(4) The experience of the applicant in the transportation of property and the character of the bond or insurance proposed to be given to insure the protection of the public."

Sec. 10. That Section 10 of said chapter be and the same is hereby amended to read as follows:

"Section 10. No application for a certificate of public convenience and necessity shall be considered by said Commission unless it be in writing and sets forth the following facts:

"(1) It shall contain the name and address of the applicant and the names and addresses of its officers, if any, and shall give full information concerning the financial condition and physical properties of the applicant.

"(2) The complete route or routes over which the applicant desires to operate, together with the description of each vehicle which the applicant intends to use.

"(3) A proposed schedule of service and a schedule of rates to be charged between the several points or localities to be served.

"(4) It shall be accompanied by a plat or map showing the route or routes over which the applicant desires to operate, on which plat or map shall be delineated the line or lines of any existing transportation company or companies serving such territory, and shall point out the inadequacy of existing transportation facilities or service, and shall specify

wherein additional facilities or service are required and would be secured by the granting of said application.

"The Commission, in prescribing and adopting rules and regulations and in forming its conclusions and in prescribing its orders, shall invite the Highway Commission's opinion on the condition of the public highways involved and the ability of said highways to carry the existing and proposed additional traffic, and the Commission shall give due and proper consideration to the orders, regulations, ordinances or recommendations of the Highway Commission of Texas; provided, however, nothing herein contained shall be deemed to restrict the powers of the Highway Commission under existing laws. The Commission shall also give due and proper consideration to the recommendations of the commissioners courts of the several counties and to the recommendations of the local government of any municipality through or between which motor carriers operate."

Sec. 11. That Section 11 of said chapter be and the same is hereby amended to read as follows:

"Sec. 11. Upon the filing of said application for a certificate or permit, the Commission shall fix a time and place for hearing, and the place of hearing shall be in the city of Austin, Texas, unless otherwise ordered by the Commission. Notice of the filing of said application, and the time and place of hearing, shall be given by mail not less than ten (10) days, exclusive of the day of mailing, before such hearing, addressed to the owner or owners of existing transportation facilities serving such territory as applicant seeks to serve, as well as to the Highway Commission of the State of Texas, the county judge or judges of the counties and to the mayor of any incorporated city or town through which such carrier seeks to operate."

Sec. 12. That Section 12 of said chapter be and the same is hereby amended to read as follows:

"Section 12. (a) The hearing on an application for certificate or permit shall be conducted under such rules and regulations as the Commission may prescribe, and the parties interested, including the Highway Commission of this State, may appear

either in person or by counsel and present such evidence and argument as they may desire and as the Commission may deem pertinent in favor of or against the granting of such application. It shall be the duty of the Highway Commission, upon request of the Commission, to furnish information relating to the highway or highways designated in such application, as well as such other information as the Commission may deem pertinent to the hearing. After hearing and such investigation as the Commission may make, it shall be the duty of the Commission to grant or refuse the application, and, in any contested hearing, the Commission shall, along with its order, file a concise written opinion setting forth the facts and grounds for its action, and such opinion shall be admissible as evidence on any appeal taken therefrom; upon request of any party at interest in a contested hearing of any nature, the proceedings shall be taken down and reported by a reporter under the direction of the Commission.

"(b) The Commission at any time after hearing had, upon notice to the holder of any certificate or permit and after opportunity given such holder to be heard, may by its order revoke, suspend or amend any certificate or permit issued under the provisions of this act where in such hearing the Commission shall find that such certificate or permit holder has discontinued operation or has violated, refused or neglected to observe the Commission's lawful orders, rules, rates or regulations or has violated the terms of said certificate or permit; provided, that the holder of such certificate or permit shall have the right of appeal as provided in this act."

Sec. 13. That Section 13 of said chapter be and the same is hereby amended to read as follows:

"Sec. 13. Before any permit or certificate of public convenience and necessity may be issued to any motor carrier, and before any motor carrier may lawfully operate under such permit or certificate, as the case may be, such motor carrier shall file with the Commission bonds and insurance policies issued by some insurance company, including mutuals and reciprocals or bonding company authorized by law to transact business in Texas, in an amount to be

fixed by the Commission under such rules and regulations as it may prescribe, which bonds and insurance policies shall provide that the obligor therein will pay to the extent of the face amount of such insurance policies and bonds all judgments which may be recovered against the motor face amount of such insurance policies and bonds, based on claims for loss or damages from personal injury or loss of, or injury to, property occurring during the term of said bonds and policies and arising out of the actual operation of such motor carrier, and such bonds and policies shall also provide for successive recoveries to the complete exhaustion of the face amount thereof, and that such judgments will be paid by the obligor in said bonds and insurance policies irrespective of the solvency or insolvency of the motor carrier; provided, however, such bonds and policies shall not cover personal injuries sustained by the servants, agents or employes of such motor carrier; provided further, that in the event the insured shall abandon his permit or certificate and leave the State, a claimant, asserting a claim within the provisions of said bonds or policies, may file suit against the company executing such bond or policies in a court of competent jurisdiction without the necessity of making the insured a party to said suit. Provided, however, that the Commission shall not require insurance covering loss of or damage to cargo in amount excessive for the class of service to be rendered by any motor carrier. Each such motor carrier shall, on or before the date of the expiration of the term of any policy or bond so filed by him, file a renewal thereof, or new bonds and policies, containing the same terms and obligations of the preceding bonds and policies, and shall each year thereafter on or before the expiration date of the existing bonds and policies, file such renewal policies and bonds so as to provide continuous and unbroken protection to the public having legal claims against such motor carrier, and in the event such renewal bonds and policies are not so filed, the permit or certificate of public convenience and necessity of such motor carrier shall automatically expire and cease to exist.

"Each motor carrier shall also protect his employes by taking out workmen's compensation insurance,

either as provided by the Workmen's Compensation Laws of the State of Texas or in a reliable insurance company authorized to write workmen's compensation insurance approved by the Commission."

Sec. 14. That Section 13a of said chapter be, and the same is hereby, amended to read as follows:

"Sec. 13a. The Commission is vested with power and authority, and it is hereby made its duty, to approve or disapprove the nature and character of the equipment to be used under any permit or certificate and the amount and character of tonnage which may be hauled thereunder on any motor vehicle, trailer or semi-trailer used under such permit or certificate, and in approving the amount and character of tonnage to be hauled on any such vehicles, trailers or semi-trailers under any permit or certificate, it may fix the number and size of boxes, packages, barrels or bales of any particular commodity to be transported on any such vehicles, trailers or semi-trailers under such permit or certificate, and the method of loading such boxes, packages, barrels or bales of such commodity on the motor vehicles, trailers and semi-trailers to be used under such permit or certificate; provided, however, said Commission shall not authorize the use of any equipment of greater dimensions than otherwise permitted by law, nor any tonnage of greater weight than otherwise permitted by law.

"Provided, that if this section is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portions of this act, and the Legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that this section be declared unconstitutional; provided further, that if this act or any section, subsection, sentence, clause or phrase thereof is held to be unconstitutional and invalid by reason of the inclusion of this section, the Legislature hereby declares that it would have passed this act and any such section, subsection, sentence, clause or phrase thereof without this section."

Sec. 15. That Section 13a of said chapter be and the same is hereby further amended by adding thereto the following section, to be known as Section 13b:

"Section 13b. The Commission is hereby vested with power and authority and it is hereby made its duty to require all motor carriers to keep a set of accounts strictly in accordance with such classification of accounts and rules in respect thereto as may be established by the Commission and to file reports and such other data as the Commission may deem necessary, and which said accounts shall be open to the inspection of the Commission or its representatives at all times."

Sec. 16. That Section 15 of said chapter be and the same is hereby amended by adding thereto the following section to be known as Section 15a:

"Section 15a. Provided that any motor carrier at interest in any hearing may submit to the Commission the names and addresses of witnesses which he or it desires to use in such hearing, and it shall be the duty of the Commission to summon such witnesses."

Sec. 17. That Section 16 of said chapter be and the same is hereby amended to read as follows:

"Section 16. (a) Every officer, agent, servant or employe of any corporation and every other person who violates or fails to comply with or procures, aids or abets in the violation of any provision of this act or who violates or fails to obey, observe or comply with any lawful order, decision, rule or regulation, direction, demand, or requirement of the Commission shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than twenty-five dollars (\$25), nor more than two hundred dollars (\$200), and the violations occurring on each day shall each constitute a separate offense.

"(b) Every officer, agent, servant, or employe of any corporation and every other person who violates or fails to comply with or procures, aids or abets in the violation of any provision of this act or who violates or fails to obey, observe or comply with any lawful order, decision, rule or regulation, direction, demand or requirement of the Commission shall in addition be subject to and shall pay a penalty not exceeding one hundred dollars (\$100), for each and every day of such violation. Such penalty

shall be recovered in any court of competent jurisdiction in the county in which the violation occurs. Suit for such penalty or penalties shall be instituted and conducted by the Attorney General of the State of Texas, or by the county or district attorney in the county in which the violation occurs, in the name of the State of Texas.

"(c) Upon the violation of any provision of this act, or upon the violation of any rule, regulation, order or decree of the Commission promulgated under the terms of this act, any district court of any county where such violation occurs shall have the power to restrain and enjoin the person, firm or corporation so offending from further violating the provisions of this act or from further violating any of the rules, regulations, orders and decrees of the Commission. Such injunctive relief may be granted upon the application of the Commission, the Attorney General or any district or county attorney. No bond shall be required when such injunctive relief is sought upon the application of the Commission, Attorney General or any district or county attorney. Such relief may be granted in suits for penalties as provided in subdivision (b) of this section, but a suit for penalty shall not be a condition precedent to the injunctive relief provided by this subdivision.

"(d) Any authorized inspector for the Commission shall have the power and authority to make arrests for any violations of this act and it shall be the duty of all judges, prosecuting attorneys, and peace officers of the counties and municipalities of this State to assist in the enforcement of this act.

"(e) The Commission shall prescribe an identification card which must be displayed within the cab of each motor vehicle, setting out the certificate or permit number and the route or territory over which the vehicle is authorized to operate, giving the name and address of the owner of said certificate or permit. It shall be unlawful for the owner of said certificate or permit, his agent, servant or employe, or any other person to use or display said identification card after said certificate or permit has been cancelled or disposed of. The identification card provided for herein may be in such form and contain such information as required by the Railroad Commission.

"(f) It shall be unlawful for any owner of a certificate or permit, his agent, servant or employe to display upon any motor vehicle the certificate or permit number, or other insignia of authority from the Railroad Commission after said certificate or permit has expired, or has been cancelled.

"(g) It shall be unlawful for any motor carrier (common or contract), or the owner of a certificate or permit, or his agent, servant or employe, directly or indirectly, to offer, permit or give to any person, directly or indirectly, any commission or other consideration to induce such person to deliver to such motor carrier or certificate or permit owner, property to be transported; and it likewise shall be unlawful for any shipper or consignee or his agent, servant or employe, to receive from such motor carrier, directly or indirectly, any such commission or consideration as an inducement to secure the transportation of any such property. Any person violating any of the provisions of this section shall be guilty of a misdemeanor, and shall, upon conviction, be punished by a fine not to exceed two hundred dollars (\$200), and each such transaction shall constitute a separate offense.

"(h) Any common carrier motor carrier, his agent, servant or employe who directly or indirectly gives to any shipper any rebate, or any shipper, his agent, servant or employe who directly or indirectly receives any rebate, shall be guilty of a misdemeanor and shall be punished by a fine not to exceed two hundred dollars (\$200) for each offense, in any court of competent jurisdiction in this State. It being the intention of this act that such motor carriers shall in every instance collect and receive, and the shipper shall pay, only the rate or fee prescribed or approved by the Commission.

"(i) If any motor carrier, or any officer, agent, clerk, servant, or employe, or receiver, or his agents, servants, or employe, of any motor carrier operating as a contract carrier in this State, shall, directly or indirectly, or by any special rate, rebate, drawback, or other device, for or on behalf of such contract carrier, knowingly charge, demand, or contract for, collect or receive from any person, firm or corporation a less compensation for any service rendered or to be rendered by any such contract carrier

than is prescribed for said service by said Commission, such contract carrier or any officer, clerk, servant, or employe, or receiver, his agents, servants, or employe, of such contract carrier shall be guilty of a misdemeanor and, upon conviction shall be fined in a sum not to exceed two hundred dollars (\$200) for each offense; and every person who violates or fails to comply with, or procures, aids, or abets any contract carrier in the violation of the provisions hereof shall likewise be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than two hundred dollars (\$200) for each offense."

Sec. 18. That Section 17 (a) of said chapter be and the same is hereby amended to read as follows:

"Section 17. (a) For the purpose of defraying the expense of administering this act, every common carrier motor carrier now regularly operating, or which shall hereafter regularly operate in this State, shall at the time of the issuance of a certificate of convenience and necessity, unless otherwise provided herein, and annually thereafter, on or between September 1st and September 15th of each calendar year, pay a special fee of ten dollars (\$10), for each motor propelled vehicle operated or to be operated by such motor carrier in the carriage of property. If the certificate of convenience and necessity herein referred to is issued after the month of September of any year the fee paid shall be prorated to the remaining portion of the year ending August 31st following, but in no case less than one-fourth ($\frac{1}{4}$) the annual fee. In case of emergency or unusual temporary demands for transportation the fee for additional motor propelled vehicles for less period shall be fixed by the Commission in such reasonable amounts as may be prescribed by general rule or temporary order. Every application for a certificate of convenience and necessity shall be accompanied by a filing fee in the sum of twenty-five dollars (\$25), which fee shall be in addition to other fees and taxes and shall be retained by the Commission whether the certificate of convenience and necessity be granted or not."

Sec. 19. That Section 18 of said chapter be and the same is hereby amended to read as follows:

"Section 18. It shall be unlawful for any motor carrier as hereinbefore defined to operate any motor vehicle within this State unless there shall be displayed and firmly fixed upon the front and rear of such vehicle an identification plate to be furnished by the Commission. Each of such plates shall be designed so as to identify the vehicle on which the same is attached as being a vehicle authorized to operate under the terms of this law; said plate shall bear the number given to the vehicle by the Commission and such other marks of identification as may be necessary. The plates for common carrier vehicles and the plates for contract carrier vehicles shall be different in design. The identification plates provided for herein shall be in addition to the regular license plates required by law. It shall be the duty of the Commission to provide these plates and each motor vehicle operating in this State shall display such plates as soon as the same are received and such plates shall be issued annually thereafter and attached to each motor vehicle not later than September 1st of each year, or as soon thereafter as possible. The Commission shall be authorized to collect from the applicant a fee of one dollar (\$1) for each pair of plates so issued, and all fees for such plates shall be deposited in the State Treasury to the credit of the 'Motor Carrier Fund'."

Sec. 20. That Section 19 (a) and (b) of said chapter be and the same is hereby amended to read as follows:

"Section 19. (a) The Commission shall have power to employ and appoint from time to time such experts, assistants, and other help, in addition to its present force, as may be deemed necessary to enable it at all times to properly administer and enforce this act. Such persons and employes of the Commission shall be paid for the service rendered such sums as may be fixed and prescribed by the Commission in monthly installments, and no employe of the Commission shall ask or receive any fee from any person for the taking of acknowledgments or any other service except as herein provided, and such salaries, wages and all fees that may be paid to witnesses and officers shall be paid out of the Motor Carrier Fund by the State Treasurer on warrants of the Comptroller of Public Accounts on order or voucher approved by the

Commission or the chairman thereof. All actual and necessary traveling expenses of the members of the Commission and employes shall also be paid out of said fund in the same manner as salaries, wages and fees when such accounts shall have been itemized and sworn to by the Commission or employe incurring the expenses and approved by the Commission or the chairman thereof.

"(b) If the amount of total fees collected under the provisions of this act shall not be sufficient during any annual period to pay such salaries, costs, charges, fees and expenses, then the deficit shall be paid by the State Treasurer out of any fund not otherwise appropriated. Until sufficient funds have accrued to said Motor Carrier Fund for the payment of expenses, fees, etc., as provided herein, said expenses shall be paid by the State Treasurer out of any funds not otherwise appropriated, such sum to be paid out of the general revenue not to exceed the sum of five thousand dollars (\$5000), and said sum is hereby appropriated. Any surplus remaining in the Motor Carrier Fund at the end of any fiscal year, after paying such salaries, accounts, fees and charges and after deducting such amounts as may be contracted to be paid and incurred and such sums as may be reasonably estimated by the Commission for its use pending further collection of fees, shall be paid over to the general revenue fund."

Sec. 21. That Section 22 of said chapter be and the same is hereby amended by adding thereto a new section, to be known as Section 22b, to read as follows:

"Sec. 22b. Declaration of Policy.—The business of operating as a motor carrier of property for hire along the highways of this State is declared to be a business affected with the public interest. The rapid increase of motor carrier traffic, and the fact that under existing law many motor trucks are not effectively regulated, have increased the dangers and hazards on public highways and make it imperative that more stringent regulation should be employed, to the end that the highways may be rendered safer for the use of the general public; that the wear of such highways may be reduced; that discrimination in rates charged may be eliminated; that congestion of traffic on

the highways may be minimized; that the use of the highways for the transportation of property for hire may be restricted to the extent required by the necessity of the general public, and that the various transportation agencies of the State may be adjusted and correlated so that public highways may serve the best interest of the general public."

Sec. 22. All laws and parts of laws in conflict herewith are hereby expressly repealed. Provided, however, that nothing in this act shall be construed as giving legislative sanction to any act that would violate the provisions of the Anti-Trust Laws of Texas.

Sec. 23. If any section, subsection, clause, sentence or phrase of this act is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Sec. 24. The fact that there is at this time a large number of individuals, firms and corporations using the highways of this State for the transportation of property for hire by motor propelled vehicles, and the further fact that the present law does not effectively regulate this extensive business, and the fact that no law adequately protects the public in its dealings with such carriers, and in its use of the highways, creates an emergency and a public necessity requiring the suspension of the constitutional rule which requires all bills to be read in each house on three several days, and that such rule be, and the same is, hereby suspended and that this act shall take effect from and after its passage, and it is so enacted.

WOODUL,
RAWLINGS,
MARTIN,
WOODWARD,
WILLIAMSON,

On the part of the Senate;

MURPHY,
DAVIS,
McGREGOR,

On the part of the House.

Minority Statement, House Bill
No. 335.

Hon. Fred H. Minor, Speaker of the
House of Representatives.

Dear Sir: We, the undersigned members of House free conference committee, appointed to consider House bills Nos. 335 and 336, have failed to sign the majority report on House bill No. 335 for the following reasons:

We believe that transportation service on the highways is a public necessity if the State is to receive in benefits a return adequate to the expenditures for highway construction. We believe, further, that in order to effect the best public service, the transportation on the highways should be strictly regulated. It seems clear to us, however, that highway transportation should only be regulated in the interest of the shipping and traveling public and regulatory measures should not be designed so as to eliminate the highway service as a competitive factor among the transportation agencies of the State.

As reported and recommended by the majority of this conference committee, House bill No. 335 provides (Section 5) that every common carrier shall obtain from the Railroad Commission a certificate of public convenience and necessity and a permit (Section 6) if the applicant desires to operate as a contract carrier. Neither certificate or permit, however, is required of any operator who does not, in the course of his transportation, travel between or through two or more incorporated cities, towns and villages; likewise, permits are not required of those operating only within the limits of incorporated cities and towns.

Regarded by itself, House bill No. 335 is chiefly objectionable, in the first place, from the fact that it is doubtful whether or not the State has authority to regulate the rates of contract carriers; and in the second place, the proposed measure is so strict in its regulation of the rates of contract carriers that the holders of permits may be punished by fine for service of a strictly accommodation nature, as well as for consistent deviation from the rates fixed by the Railroad Commission. A third objection is that it is practically impossible, even if legal, to fix an accurate schedule of rates for contract carriers. The

fourth objection is the impossibility of obtaining such enforcement as would sustain a rate structure for contract carriers.

Unfortunately, however, House bill No. 335 cannot be regarded by itself. The companion House bill No. 336, as recommended by a majority of the conference committee, fixes for common carrier motor carriers the load limit of 7000 pounds. This will necessarily involve very substantial increases in rates charged by common carrier motor carriers. Section 6aa of House bill No. 335 reads as follows:

"The Commission is hereby vested with power, authority, and it is hereby made its duty, to prescribe rules and regulations covering the operations of contract carriers in competition with common carriers over the highways of this State, and the Commission shall prescribe minimum rates, fares and charges to be collected by such contract carriers, which shall not be less than the rates prescribed for common carriers for substantially the same service."

The result of the higher rates occasioned by the 7000-pound load limit in House bill No. 336, taken with the foregoing provision of House bill No. 335, will be that all contract carriers will be forced to charge very much higher rates than now prevail, irrespective of the cost of producing the service.

Motor carriers are not now demanding higher rates and should not be forced by law to raise the level of their charges. There is a further departure from the former policy of this State in that any applicant for a certificate of convenience and necessity permitting the operation of a common carrier motor carrier must be able to show to the satisfaction of the Railroad Commission that existing transportation facilities, including railroads, are inadequate.

This bill purports to be a measure for the effective regulation of public transportation on the highways for the protection of the public in its dealings with such carriers. Actually, we believe the measure to be designed to eliminate effective competition of motor carriers in the transportation field. This probably will not be the actual effect if House bill No. 335 should pass and House bill No. 336 should fail, but if the two measures become the law and are sustained in this State, we predict that

the result will be an almost immediate increase in the transportation charges of all classes of motor carriers and all rail carriers operating in Texas.

Respectfully submitted,
BECK,
POPE.

CONFERENCE COMMITTEE REPORT
ON HOUSE BILL
NO. 336.

On motion of Mr. Murphy, the following conference committee report, with a statement by the minority, was ordered printed in the Journal:

Free Conference Committee Report
on House Bill No. 336.

Hon. Edgar E. Witt, President of the Senate; Hon. Fred H. Minor, Speaker of the House of Representatives.

Gentlemen: We, the free conference committee on House bill No. 336, being

"An Act to amend Chapter 42, General Laws of the State of Texas, Forty-first Legislature, Second Called Session, so as to further regulate the operation of vehicles on the public highways," etc.,

Have had the same under consideration and we beg leave to report it back with the recommendation that it do not pass, but that the following committee substitute bill do pass in lieu thereof:

Committee substitute to House bill No. 336:

A BILL

To Be Entitled

"An Act to amend Chapter 42, General Laws of the State of Texas, Forty-first Legislature, Second Called Session, so as to further regulate the operation of vehicles on the public highways; defining the term 'vehicle,' making it unlawful to operate or cause to be operated a vehicle of a size or weight exceeding the limitations prescribed in this act, with exceptions providing for permits for certain vehicles and loads exceeding the limitations prescribed in this act; prescribing the width, height, and length of vehicles and combinations of vehicles and loads which may be lawfully operated on public highways; limiting the extent to which

any part of the load may extend beyond the front or rear of any vehicle or vehicles; limiting the extent that any load may extend beyond the sides of any passenger vehicle; making it unlawful to operate any motor vehicle having a load in any container, box or binding containing more than thirty (30) cubic feet and weighing more than five hundred (500) pounds where there are more than fourteen (14) of such containers upon any vehicle or combination thereof; providing for the displaying of red flags or red lights whenever the load or drawbar or coupling of a vehicle extends beyond the rear or the bed or the body thereof; prescribing the maximum load that may be carried on public highways by any commercial motor vehicle, truck-tractor, trailer, or semi-trailer, or combination or train of such vehicles operating outside of the limits of an incorporated city or town, and prescribing the maximum weight per inch width of tire for any motor vehicle that may be operated on a public highway, providing that such provisions as to maximum load and maximum weight per inch width of tire shall not become effective until January 1, 1932; providing that applicants for registration of any commercial motor vehicle, truck-tractor, trailer or semi-trailer shall make and deliver to the tax collector an affidavit showing the weight of the vehicle, which weight shall also be shown on the license receipt which shall be carried on any such vehicle at all times, and making said affidavit prima facie evidence of the weight of said vehicle; providing certain exceptions to the limitations imposed by this act as to length of vehicle or combination of vehicles and weight of loads, and of height of vehicle with load when such vehicle is used only to transport property by way of the shortest practicable route over the public highway under specified conditions; regulating the number of trailers which may be drawn by or attached to any motor vehicle; limiting the length of the drawbar or other connection between any two vehicles; regulating the speed of vehicles, commercial motor vehicles and motor vehicles transporting passengers for hire; providing for the carrying of certain clearance

lamps or reflectors and lamps or lanterns on certain vehicles and prescribing an exception for vehicles drawn by animal power; requiring the keeping of certain lamps on vehicles lighted under certain conditions; providing that it shall be unlawful to operate any vehicle upon the highway with a red light visible directly from the front thereof with exceptions; prescribing character of and regulating use of brakes, horns and warning devices; providing that every motor vehicle engaged in the transportation of passengers for hire shall be equipped with a fire extinguisher; providing that it shall be unlawful for any person to operate or permit to be operated any commercial motor vehicle of over one ton carrying capacity upon the highway without having a chauffeur's license; making the violation of any provision of this act a misdemeanor, and fixing and providing penalties and punishments; reserving certain powers to governing bodies of cities and towns; providing that the unconstitutionality of any part or parts of this act shall not affect the validity of the remaining parts thereof; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 1 of Chapter 42, General Laws of the State of Texas passed by the Forty-first Legislature, Second Called Session, relating to the operation of vehicles on the public highways be and the same is hereby amended to hereafter read as follows:

"Section 1. The following words and phrases, when used in this act, shall, for the purpose of this act, have the means respectively ascribed to them in this section, as follows:

"'Vehicle.' Every mechanical device in, upon or by which any person or property is or may be transported or drawn upon a public highway, including motor vehicles, commercial motor vehicles, truck-tractors, trailers, and semi-trailers, severally, as hereinafter defined, but excepting devices moved by human power or used exclusively upon stationary rails or tracks.

"'Motor Vehicle.' Every vehicle, as herein defined, which is self-propelled.

"'Commercial Motor Vehicle.' Any motor vehicle other than a motorcycle, designed or used for the transportation of property, including every vehicle used for delivery purposes.

"'Truck-Tractors.' Every motor vehicle designed or used primarily for drawing other vehicles, and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

"'Trailer.' Every vehicle without motive power designed or used for carrying property or passengers wholly on its own structure and to be drawn by a motor vehicle.

"'Semi-trailer.' Every vehicle of the trailer type so designed or used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another motor vehicle.

"'Department.' The State Highway Department of this State, acting directly or through its duly authorized officers and agents."

Sec. 2. That Section 2 of said chapter be and the same is hereby amended to hereafter read as follows:

"Section 2. It shall be unlawful and constitute a misdemeanor for any person to drive, operate or move, or for the owner to cause or permit to be driven, operated, or moved on any highway, any vehicle or vehicles of a size or weight exceeding the limitations stated in this act or any vehicle or vehicles which are not constructed or equipped as required in this act, or to transport thereon any load or loads exceeding the dimensions or weight prescribed in this act; provided the Department, acting directly or through its agent or agents designated in each county, shall have and is hereby granted authority to grant permits limited to periods of ninety (90) days or less for the transportation over State highways of such overweight or oversize or overlength commodities as cannot be reasonably dismantled or for the operation over State highways of super-heavy and oversize equipment for the transportation of such oversize or overweight or overlength commodities as cannot be reasonably dismantled; provided, that any haul or hauls made under such permits shall be made by the shortest practicable route; provided further, that the Department shall

designate the county judges of the respective counties in addition to its other designated agents, who acting under the direction of the Department shall have and are hereby granted authority to issue such permits over State highways; and provided further, that the commissioners courts through the county judges of the several counties of the State shall have and are hereby granted authority to grant such permits over the highways of their respective counties other than State highways, and the said county judges shall have and are hereby granted said authority independently of the said commissioners courts until such time as the said courts shall have acted with respect thereto. Said commissioners courts, in their discretion, may require a bond to be executed by an applicant in such amount as will guarantee the payment of any damages which any road or bridge traversed or crossed may sustain in consequence of the transportation aforesaid."

Sec. 3. That Section 3 of said chapter be and the same is hereby amended to hereafter read as follows:

"Sec 3. (a) No vehicle shall exceed a total outside width, including any load thereon, of ninety-six (96) inches, except that the width of a farm tractor shall not exceed nine (9) feet, and except further, that the limitations as to size of vehicle stated in this section shall not apply to implements of husbandry, including machinery used solely for the purpose of drilling water wells, and highway building and maintenance machinery temporarily propelled or moved upon the public highways.

"(b) No vehicle unladen or with load shall exceed a height of twelve feet six inches (12' 6"), including load.

"(c) No motor vehicle, commercial motor vehicle, truck-tractor, trailer, or semi-trailer shall exceed a length of thirty-five (35) feet, and no combination of such vehicles coupled together shall exceed a total length of forty-five (45) feet, unless such vehicle or combination of vehicles is operated exclusively within the limits of an incorporated city or town.

"(d) No train or combination of vehicles or vehicle operated alone shall carry any load extending more than three (3) feet beyond the front thereof, nor, except as hereinbefore

provided, more than four (4) feet beyond the rear thereof.

"(e) No passenger vehicle shall carry any load extending more than three (3) inches beyond the line of the fenders on the left side of such vehicle, nor extending more than six (6) inches beyond the line of the fenders on the right side thereof; provided, that the total over-all width of such passenger vehicle shall in no event exceed ninety-six (96) inches, including any and all such load.

"(f) Immediately upon the taking effect of this act, it shall thereafter be unlawful for any person to operate or move, or for any owner to cause to be operated or moved, any motor vehicle or combination thereof over the highways of this State which shall have as a load or as a part of the load thereon any product, commodity, goods, wares or merchandise which is contained, boxed or bound in any container, box or binding containing more than thirty (30) cubic feet and weighing more than five hundred (500) pounds where there are more than fourteen (14) of such containers, boxes or bindings being carried as a load on any such vehicle or combination thereof; provided, that no number of any such containers, boxes or bindings shall be carried as the whole or part of any load exceeding seven thousand (7000) pounds on any such vehicle or combination thereof; and provided, that if this subsection is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portions of this act, and the Legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that this section be declared unconstitutional; provided further, that if this act or any section, subsection, sentence, clause or phrase thereof is held to be unconstitutional and invalid by reason of the inclusion of this section, the Legislature hereby declares that it would have passed this act and any such section, subsection, sentence, clause or phrase thereof without this section."

Sec. 4. That Section 4 of said chapter be and the same is hereby amended to hereafter read as follows:

"Sec. 4. Wherever the load or drawbar or coupling on any vehicle shall extend beyond the rear or the bed or body thereof, ther shall be dis-

played at the end of such load or extension, in such position as to be clearly visible at all times from the rear of such load or extension, a red flag not less than twelve (12) inches both in length and width, except that between one-half hour after sunset and one-half hour before sunrise there shall be displayed at the end of any such load or extension a red light, plainly visible under normal atmospheric conditions at least five hundred (500) feet from the rear of such vehicle."

Sec. 5. That Section 5 of said chapter be and the same is hereby amended to hereafter read as follows:

"Sec. 5. No commercial motor vehicle, truck-tractor, trailer or semi-trailer shall be operated on the public highway outside of the limits of an incorporated city or town with a load exceeding seven thousand (7000) pounds on any such vehicle or train or combination of vehicles; and no motor vehicle, commercial motor vehicle, truck-trailer, trailer or semi-trailer having a greater weight than six hundred (600) pounds per inch width of tire upon any wheel concentrated upon the surface of the highway shall be operated on the public highways outside of the limits of an incorporated city or town; provided, however, that the provisions of this section shall not become effective until the first day of January, 1932."

Sec. 6. That Section 5 of said chapter be and the same is hereby further amended by adding thereto a new section, to be known as Section 5(a), which shall hereafter read as follows:

"Sec. 5(a). Upon application for registration of any commercial motor vehicle, truck-tractor, trailer or semi-trailer, the applicant shall deliver to the tax collector, or one of his duly authorized deputies, an affidavit, duly sworn to before an officer authorized to administer oaths, showing the weight of said vehicle, which affidavit shall be kept on file by the collector. The license receipt issued to the applicant shall also show said weight. A copy of said receipt shall be carried at all times on any such vehicle while same is upon the public highway. Such affidavit, or a certified copy thereof, may be introduced as evidence showing the weight of said vehicle, and such affidavit shall be prima facie evidence of the weight

thereof; provided, however, that it may be shown that said affidavit is false or that said weight inserted therein is incorrect."

Sec. 7. That Section 5 of said chapter be and the same is hereby further amended by adding thereto a new section, to be known as Section 5(b), which shall hereafter read as follows:

"Sec. 5(b) The limitations imposed by this act as to length of vehicle or combination of vehicles and weight of loads and of height of vehicle with load shall not apply to vehicles when used only to transport property from point of origin to the nearest practicable common carrier receiving or loading point or from a common carrier unloading point by way of the shortest practicable route to destination; provided, said vehicle does not pass a delivery or receiving point of a common carrier equipped to transport such load, or when used to transport property from the point of origin to point of destination thereof when the destination of such property is less distant from the point of origin thereof than the nearest practicable common carrier receiving or loading point equipped to transport such load; provided, however, that in no event except by special permit, as hereinabove specifically provided, shall the length of said vehicles exceed fifty-five (55) feet or the weight of such loads exceed fourteen thousand (14,000) pounds; and provided further, that the limitations imposed by this act upon weight per inch width of tire shall apply to all such vehicles and loads; provided, that if this act or any other section, subsection, sentence, clause or phrase thereof is held to be unconstitutional and invalid by reason of the inclusion of this section, the Legislature hereby declares that it would have passed this act and any such section, subsection, sentence, clause or phrase thereof without this section."

Sec. 8. That Section 7 of said chapter be and the same is hereby amended to hereafter read as follows:

"Sec. 7(a). No motor vehicle shall be driven upon any highway outside of the limits of an incorporated city or town drawing or having attached thereto more than one trailer.

"(b) The drawbar or other connection between any two vehicles, one of which is towing or drawing the other

on a highway, shall not exceed twenty (20) feet in length from one vehicle to the other."

Sec. 9. That Section 8 of said chapter be and the same is hereby amended to hereafter read as follows:

"Sec. 8. Rate and Speed of Vehicle.—It shall be unlawful for any person to operate or drive any motor or other vehicle upon the public highways of Texas at a rate of speed in excess of forty-five (45) miles an hour, or drive or operate a motor or other vehicle within the corporate limits of an incorporated city or town or within or through any town or village not incorporated, at a greater rate of speed than twenty (20) miles per hour; provided, that it shall be unlawful to operate upon said public highways a commercial motor vehicle as defined in this act of either a registered or actual gross weight of six thousand (6000) pounds or less at a rate of speed in excess of forty (40) miles per hour, or such vehicle of either a registered or actual gross weight of over six thousand (6000) pounds at a rate of speed in excess of twenty-five (25) miles per hour, or within the corporate limits of any incorporated city or town or within or through any town or village not incorporated at a rate of speed in excess of eighteen (18) miles per hour. Provided further, that it shall be unlawful to operate any motor vehicle engaged in this State in the business of transporting passengers for compensation or hire on any highway, road or thoroughfare not privately owned between cities, towns and villages at a rate of speed in excess of forty (40) miles per hour."

Sec. 10. That Section 9 of said chapter be and the same is hereby amended to hereafter read as follows:

"Section 9. Every motor vehicle, other than any road-roller, road machinery or farm tractor, having a width at any part in excess of seventy (70) inches shall carry two clearance lamps on the left side of such vehicle, one located at the front and displaying a white light visible under normal atmospheric conditions from a distance of five hundred (500) feet to the front of the vehicle, and the other located at the rear of the vehicle and displaying a red or yellow light visible under like conditions from a distance of five hundred (500) feet to the rear of the vehicle, both of which

lights shall be kept lighted while any such vehicle is upon the highway from one-half hour after sunset to one-half hour before sunrise. A motor vehicle requiring clearance lights hereunder may, in lieu of such clearance lights, be equipped with adequate reflectors conforming as to color and marginal location to the requirements for clearance lights. No such reflector shall be deemed adequate unless it is so designed, located as to height and maintained as to be visible for at least two hundred (200) feet when opposed by the light of a motor vehicle displaying lawful, undimmed headlights at night on an unlighted highway. Reflectors herein referred to must be approved by the Department as to specifications before they can be lawfully used on a vehicle, and it shall be unlawful and constitute a misdemeanor to use a reflector on a motor vehicle unless it has been approved by the Department, and such approval by the Department shall be firmly affixed to such reflector.

"All vehicles not heretofore by law required to be equipped with specified lighted lamps shall carry one or more lighted lamps or lanterns displaying a white light visible under normal atmospheric conditions from a distance of not less than five hundred (500) feet to the front of such vehicle and displaying a red, or yellow, light visible under like conditions from a distance of not less than five hundred (500) feet to the rear of such vehicle, which lights shall be kept lighted while the vehicle is upon a highway from one-half hour after sunset to one-half hour before sunrise. Provided, however, that vehicles drawn by animal power may in lieu of such lamps or lanterns be equipped with adequate reflectors.

"Every owner, driver or operator of a vehicle while it is upon the main traveled portion of a highway during the period from one-half hour after sunset to one-half hour before sunrise, and at any other time when there is not sufficient light to render clearly discernible any person upon the highway for a distance of at least two hundred (200) feet ahead, shall keep lighted all lamps or lighting devices with which such vehicle is required to be equipped, whether the vehicle is in motion or not.

"It shall be unlawful for any person to operate or move any vehicle upon a highway with a red light thereon visible directly from the

front thereof, except, that this provision shall not apply to law enforcement officers, fire departments, and ambulances.

"Every motor vehicle other than a motorcycle when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle, including two separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two wheels. If these two separate means of applying the brakes are connected in any way, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the motor vehicle without brakes on at least two wheels. Any motor vehicle or combination of motor vehicles, trailer, or semi-trailer or other vehicle, shall be equipped with brakes upon one or more of such vehicles, adequate to stop such combination of vehicles in dry weather upon a reasonably level surface within a distance of forty-five (45) feet from the spot where such brakes are first applied when such vehicle or combination of vehicles are traveling at a rate of speed of twenty (20) miles per hour.

"Every motor vehicle when operated upon a highway shall be equipped with a horn in good working order capable of emitting sounds audible under normal conditions for a distance of not less than two hundred (200) feet, and it shall be unlawful for any vehicle to be equipped with or for any person to use upon a vehicle any bell, siren, compression or exhaust whistle or for any person at any time to use a horn otherwise than as a reasonable warning or to make any unnecessary or unreasonably loud or harsh sound by means of a horn or other warning device, except that vehicles operated in the performance of duty by law enforcement officers, fire departments and ambulances may attach and use a bell, siren, compression or exhaust whistle.

"Every motor vehicle engaged in the transportation of passengers for hire shall be equipped with at least one quart of chemical type fire extinguisher in good condition and conveniently located for immediate use.

"It shall be unlawful for any person to operate or permit to be operated any commercial motor vehicle of over one ton carrying capacity upon the highway of this State without

having first obtained a chauffeur's license as provided in Article 6687 of the Revised Civil Statutes of Texas of 1925."

Sec. 11. That Section 15 of said chapter be and the same is hereby amended to hereafter read as follows:

"Section 15. (a) It shall be unlawful and constitute a misdemeanor for any person to violate any of the provisions of this act.

"(b) Any person, corporation or receiver, who violates any provision of this act shall, upon conviction, be punished by a fine of not more than two hundred dollars (\$200); for a second conviction within one (1) year thereafter such person, corporation or receiver, shall be punished by a fine of not more than five hundred dollars (\$500), or by imprisonment in the county jail for not more than sixty (60) days, or by both such fine and imprisonment; upon a third or subsequent conviction within one (1) year after the second conviction such person, corporation or receiver shall be punished by a fine of not more than one thousand dollars (\$1000), or by imprisonment in the county jail for not more than six (6) months, or by both such fine and imprisonment. Provisions hereof with respect to imprisonment shall not be applicable to corporations, but double the fines herein provided for may be imposed against them in lieu of imprisonment."

Sec. 12. Nothing contained in this act shall be construed so as to limit, restrict or impair the rights, powers and duties of the governing bodies of cities and towns in this State to continue the exercise of, control over and regulations in respect to streets, alleys and other public places located within the corporate limits of cities and towns, nor to limit or restrict the right of cities and towns to regulate and control traffic upon the streets, alleys and other public places in cities and towns under any law of this State; provided, no city or town shall pass any ordinance or make any regulation establishing any limit or requirement less than is provided for by the terms of this act.

Sec. 13. If any section, subsection, clause, sentence or phrase of this act is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the re-

maining portions of this act. The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more of the sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Sec. 14. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 15. The importance of this measure for the benefit of public safety and protection of the highways creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule relating to the reading of bills on three several days in each house, and such rule is hereby suspended, and this act shall take effect and be in force from and after its passage, and it is so enacted.

WOODUL,
MARTIN,
MURPHY,
WOODWARD,

On the part of the Senate.

McGREGOR,
DAVIS

On the part of the House.

Minority Statement, House Bill
No. 336.

Hon. Edgar E. Witt, Lieutenant Governor, and Hon. Fred H. Minor, Speaker of the House of Representatives.

Gentlemen: We, the undersigned members of free conference committee, appointed to consider House bills Nos. 335 and 336, make the following statement of our reasons for failing to sign the majority report as to House bill No. 336:

This bill purports to be a measure designed for the protection of the highways, but as recommended by the majority of this committee it is a measure designed to protect rail carriers from competition of the traffic upon the highways. The bill is clearly designed to allow the operation of busses as now conducted by the railroads, but will have the effect

of eliminating trucks as a factor of competition with rail carriers.

The effort to eliminate the trucks without disturbing the busses results in a piece of legislation that is somewhat grotesque and clearly departs

from any logical argument that protection of the highways is afforded or intended.

The width of all motor vehicles is allowed in the majority report to remain at 96 inches. We consider this a proper width, but regard it as more than a coincidence that this happens to be the maximum width of any bus now operated by any railroad in Texas.

Height of all vehicles is increased from 11 feet in the original bill to 12 feet 6 inches in the majority report. This is not an unreasonable height.

Length of any one vehicle is raised from 30 feet in the original bill to 35 feet in the majority report. It is to be noted that the larger busses owned by rail lines in Texas measure 33 feet in length. A semi-trailer or train combination is permitted to be 45 feet in length. The standard recommended by the National Motor Vehicle Conference is 65 feet in length.

The bill approved by the majority of this committee proposes to fix for this State a maximum pay load that may be carried on any motor vehicle or combination of vehicles at 7000 pounds. Only one other State applies the restriction based upon the pay load that may be carried upon a vehicle, and no consideration of highway preservation permits any such restriction. The universally applied restriction is upon the gross weight of a vehicle and its load. This is the present method in Texas, and the right one. If motor trucks as now operated are unduly damaging to the highways, the gross weight of the vehicle and its load should be reduced. Under the bill recommended by the majority, there is no restriction on gross weight and a 50,000-pound vehicle could be used on the highways of Texas, provided it did not carry more than 7000 pounds as its load.

It is significant to note that the largest of the busses operated by railroads in Texas have a gross weight of approximately 22,000 pounds. If highway damage does not occur from a bus of this weight operating at high speed, then it would not occur from a truck of equal gross weight operating at a lower speed. If the same gross weight were allowed for a truck as for a bus, it would permit the use of an 8000-pound truck with a 14,000-pound pay load, or a 10,000-pound truck with a 12,000-pound pay load. Operation with either 10,000- or 12,000-pound pay load would tend to afford

economical use of trucks as a competitive factor in the less than carload shipments of merchandise, live stock and other products, and this was objectionable to the majority. Restrictions proposed in the majority report will have a severe effect upon the commerce of this State and will result in substantial increase in the transportation rates prevailing in this State, as they are clearly designed to do. With no limitation placed upon the gross weight of vehicle and load, such highway preservation as occurs will be only the by-product of an undisguised effort to restrict competition in the transportation field.

The above severe and unreasonable restrictions as to weight are not to apply in the case of trucks hauling to or from the nearest common carrier receiving or delivering point. In such cases the allowable length is increased to 55 feet and the allowable pay load to 14,000 pounds.

Further exceptions are provided whereunder the Highway Department or any county judge may issue ninety-day permits for oversize or overweight or overlength loads to be transported anywhere. This provision, while operating liberally, will override the measure passed by the Forty-first Legislature regulating movement of super-heavy equipment and loads upon the payment of a special fee for each separate haul, which measure was designed for the protection of the highways and introduced and passed upon the recommendation of the State Highway Department.

No restrictions in the proposed bill are to apply within incorporated cities and towns. If this bill were truly a measure to protect highways, the question of eliminating territory inside incorporated cities and towns would be negligible, but since this is a criminal statute for the purpose of denying the right to economical truck operation on the highways of this State it certainly cannot exclude any territory from the operation of this criminal statute. The bill fixes the cities and towns as delivery and distributing points and, therefore, makes the criminal features binding in such cities and towns, although at the same time attempting to exclude them.

The proposed bill provides that any vehicle of less than 6000 pounds gross weight shall be permitted to operate at a speed not exceeding forty miles per hour. If, however, the gross weight exceeds 6000 pounds the speed

limit shall not be more than 25 miles per hour. The present law provides for a speed limit much lower than 25 miles on the heavier vehicles. It is to be noted that the proposed bill allows any bus of whatever weight to operate at 40 miles per hour.

An analysis of all experience in operating trucks clearly demonstrates that no considerable transportation service can be built up on the highways if limited to a 7000-pound pay load. The operating cost per mile would be prohibitive. Great injustice will be done to the small merchant who cannot afford to buy his merchandise in carload lots and give undue advantage to the larger concerns and chain store systems, who own their own fleet of trucks. The result of such curtailment of the transportation service on the highways would be very detrimental, particularly to the small towns of this State.

Seven thousand-pound pay load practically eliminates the economical transportation on the highways of live stock, milk-hauling agencies and various other forms of haulings that affect the pursuits and prosperity of the producers and distributors of this State. All these drastic restrictions apply not only to motor vehicles for profit, but likewise to vehicles used for private purposes.

In a large number of the States there were introduced in the Legislatures at the beginning of this year bills almost identical with House bill No. 336 as originally introduced in this Legislature. Not one of them passed in anything like its original form. The following is a list of the States that have passed, while this Legislature has been in session, measures designed to limit the weight of trucks and opposite each State is indicated the weight which was fixed in the measures that finally passed:

Alabama—House Bill No. 52.

	Pounds.
Gross weight on one axle.....	12,000
Gross weight on motor vehicle or combination.....	32,000

Delaware—House Bill No. 175.

Gross weight on 4 wheels.....	26,000
Gross weight on 6 wheels.....	36,000
Gross weight on semi-trailer or combination.....	40,000

Georgia—Senate Bill No. 6.

Pay load	12,500
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Indiana—Senate Bill No. 124.
Pounds.
Gross weight on any 4 wheels...24,000
With liberal allowance for 6-wheel combinations.

Kansas—Senate Bill No. 388.
Gross weight on 4 wheels.....24,000
Gross weight on 6 wheels.....34,000

Maine—House Bill No. 1090.
Gross weight on 4 wheels.....18,000
Extra allowance on 6-wheel combinations..... 9,000

Massachusetts—House Bill No. 1391.
Gross weight on 4 wheels.....30,000
Gross weight on 6 wheels.....40,000

Montana—House Bill No. 399.
Gross weight on 4 wheels.....24,000
Gross weight on 6 wheels.....34,000

Nevada—House Bill No. 174.
Gross weight on 4 wheels.....25,000
Gross weight on 6 wheels.....38,000

New Mexico—Senate Bill No. 89.
Gross weight on any one axle..18,000

New York—House Bill No. 1750.
Gross weight on 4 wheels.....36,000
Gross weight on 6 wheels.....44,000
Gross weight on 8 wheels.....50,000

North Dakota—Senate Bill No. 80.
Gross weight on any vehicle or combination.....20,000

Oregon—Senate Bill No. 355.
Gross weight on single unit or any combination.....49,000

Utah—Senate Bill No. 33.
Gross weight on 4 wheels.....26,000
Gross weight on 6 wheels.....34,000

West Virginia—House Bill No. 195.
Gross weight in agricultural areas, on 4 wheels.....32,000
Gross weight metropolitan areas on 4 wheels.....44,800

It is to be noted that no State applied the pay load basis except Georgia, and this was raised to 12,500 pounds.

The Minnesota Legislature passed a measure similar to the one proposed by the majority of this committee, known as House File No. 758. This was vetoed by Governor Olson, from whose veto measure the following extracts are taken:

"The bill is in anticipation of a substantial increase in railroad rates in Minnesota which will take effect about July 1, next, and it is designed to force the rates to be then charged by common carrier trucks up to the rates to be then charged by common carrier railroads."

"Expressed in frank terms, the purpose of the bill is to force the common carrier trucks of business and restore to the railroads the so-called less than carload lot transportation business heretofore taken from them by the common carrier trucks."

"The rates of common carrier railroads and common carrier trucks are now about equal, but it is anticipated that the proposed increase in railroad rates without a like increase in truck rates will cause the railroads to lose more of their less than carload lot business to the trucks."

"Railroad transportation has been and is vitally essential to us and the railroads are entitled to protection from unfair competition. I assume that the substantial rate increase soon to take effect by order of the Interstate Commerce Commission was at the solicitation of the railroads."

"In effect, therefore, they are asking the State to protect them from the consequences of a situation which they themselves contributed to bring about. That protection will also result in imposing a heavier transportation charge burden upon the people of the State."

"For years the people of Minnesota have complained because of the burden imposed on them by railroad transportation rates. That burden has been particularly severe on the farmers of Minnesota."

"This bill, in my opinion, if permitted by me to become a law would work a severe injustice on the independent merchants of Minnesota, who are unable to purchase commodities in carload lots, and will be able to compete with the chain institutions

only because of the cheaper truck transportation rates for commodities shipped in less than carload lots."

"The common carrier trucks are now regulated by the Minnesota Railroad and Warehouse Commission. The commission was created and has existed for the purpose of regulating rates to be charged by common carriers—truck or railroad—and any unfair competition against the railroads can be corrected by the commission."

The situation in Texas at this time is almost identical to the conditions under which Governor Olson vetoed the bill passed by the Minnesota Legislature.

We of the minority cannot approve a measure designed for the protection of one industry that requires virtual confiscation of millions of dollars of equipment already purchased, while at the same time resulting in no public benefit, but on the other hand certain to result in a definite increase in the transportation cost of this State. Furthermore, passage of the measure recommended by the majority will result in loss of position to hundreds of men immediately and to thousands next January 1, at a time when other places are almost impossible to find.

In our deliberations in the free conference committee agreement was reached on some amendments proposed by the majority—most of these were corrective. We were unable to have adopted any amendment proposed by the minority.

We have prepared no substitute bill, for the reason that both the Senate and the House, by their respective votes, so conclusively sustained the leadership of those who form the majority of this conference committee that we feel it unwise to spend the necessary effort and time to prepare a substitute measure unless instructed by our respective bodies to do so. We would recommend and support any measure dealing with weight, height, width, tire equipment, length of vehicles or combination that might be recommended by the State Highway Department of Texas, and designed upon their recommendation as necessary for the preservation of the highway system of this State.

We recommend that the House and the Senate, or either of them, reject the majority report of this free conference committee, and that the committee be instructed to bring in a fair

and constructive bill designed only for the preservation of the highways and the public safety.

Respectfully submitted,

RAWLINGS,
WILLIAMSON,

On the part of the Senate.

BECK,
POPE,

On the part of the House.

BILL ORDERED NOT PRINTED.

On motion of Mr. Sanders (by unanimous consent), Senate bill No. 624 was ordered not printed.

SENATE BILL NO. 624 ON SECOND READING.

Mr. Sanders moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate bill No. 624 be placed on its second reading and passage to third reading, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102.

Mr. Speaker.	Goodman.
Adams of Jasper.	Graves.
Adamson.	Greathouse.
Adkins.	Grogan.
Akin.	Hanson.
Alsup.	Hardy.
Baker.	Harman.
Barron.	Herzik.
Bedford.	Hill.
Bounds.	Holloway.
Brice.	Hoskins.
Bryant.	Hubbard.
Burns of Walker.	Hughes.
Carpenter.	Johnson
Caven.	of Dimmit.
Claunch.	Johnson of Morris.
Coombes.	Jones of Shelby.
Cox of Limestone.	Justiss.
Dale.	Kayton.
Daniel.	Keller.
DeWolfe.	Kennedy.
Dowell.	Laird.
Dunlap.	Lasseter.
Elliott.	Lee.
Farmer.	Lemens.
Farrar.	Leonard.
Ferguson.	Lilley.
Finn.	Lockhart.
Fisher.	McCombs.
Forbes.	McDougald.
Ford.	McGill.
Fuchs.	McGregor.
Gilbert.	Magee.
Giles.	Mathis.

Moffett.	Stevenson.
Moore.	Steward.
Munson.	Strong.
Murphy.	Tarwater.
Nicholson.	Terrell
Olsen.	of Val Verde.
Ramsey.	Towery.
Ratliff.	Turner.
Ray.	Van Zandt.
Richardson.	Vaughan.
Rogers.	Veatch.
Sanders.	Wagstaff.
Savage.	Walker.
Scott.	Warwick.
Shelton.	Weinert.
Smith of Wood.	West of Coryell.
Sparkman.	Wyatt
Stephens.	Young.

Nays—2.

Albritton.	Cox of Lamar.
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Absent.

Adams of Harris.	Holland.
Anderson.	Howsley.
Beck.	Jackson.
Bond.	Johnson
Boyd.	of Dallam.
Bradley.	Jones of Atascosa.
Brooks.	Long.
Burns	Martin.
of McCulloch.	Mehl.
Coltrin.	Metcalfe.
Cunningham.	Morse.
Davis.	O'Quinn.
Dodd.	Patterson.
Donnell.	Petsch.
Duvall.	Pope.
Dwyer.	Reader.
Harrison	Rountree.
of El Paso.	Satterwhite.
Harrison	Sherrill.
of Waller.	Smith of Bastrop.
Hatchitt.	Sullivant.
Hefley.	West of Cameron.
Hines.	Westbrook.
Holder.	Wiggs..

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

The Speaker then laid before the House on its second reading and passage to third reading,

S. B. No. 624, A bill to be entitled "An Act re-appropriating certain unexpended balances in the appropriations made by the Regular Session and the Called Sessions of the Forty-first Legislature for mileage and per diem and for contingent expenses, so that said unexpended balances may be available for mileage and per diem

and for contingent expenses of the Forty-second Legislature, and declaring an emergency."

The bill was read second time.

Mr. Sanders offered the following (committee) amendments to the bill:

(1)

Amend Senate bill No. 624 by striking out all after the enacting clause and substituting in lieu thereof the following:

"Section 1. That the sum of \$50,000, or so much thereof as may be necessary, is hereby appropriated out of the general revenue of this State to pay the mileage and per diem of members, to pay the salaries and per diem of officers and employes, and to pay the contingent expense of the Forty-second Legislature. Provided, the same shall be an addition to and supplemental of any appropriations heretofore made for mileage and per diem of members and salaries and per diem of officers and employes, and for contingent expenses for the Forty-second Legislature. There is also hereby re-appropriated all unexpended balances remaining in the State Treasury of appropriations made by the Regular and all Called Sessions of the Forty-first Legislature for mileage and per diem of members, and salaries and per diem of officers and employes, and for contingent expenses, for the purpose of supplementing appropriations heretofore made by the Forty-second Legislature for mileage and per diem of members, and salaries and per diem of officers and employes, and for contingent expenses. It is provided, however, that this act shall not be construed to prevent the payment of any item incurred under the provisions and by authority of the Acts of the Forty-first Legislature, which is properly chargeable against the funds herein re-appropriated.

"Sec. 2. The fact the appropriation for mileage and per diem of members and employes, and for contingent expenses of the Forty-second Legislature has or may become exhausted, and the fact that there remains a large unexpended balance in the appropriations for said purposes made by the Forty-first Legislature at its Regular and Called Sessions, and the fact that to re-appropriate these funds will reduce the amount necessary to appropriate of new

money for the purposes named herein, creating an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this act will take effect from and after its passage, and it is so enacted."

(2)

Amend Senate bill No. 624 by striking out all above the enacting clause and substituting in lieu thereof the following:

"A bill to be entitled 'An Act appropriating the sum of \$50,000, or so much thereof as may be necessary, out of the general revenue of this State to pay per diem and mileage of members, and salaries and per diem of officers and employes, and for contingent expenses of the Forty-second Legislature, and for re-appropriating certain unexpended balances in the appropriations made by the Regular Session and all Called Sessions of the Forty-first Legislature for mileage and per diem of members, and for salaries and per diem of officers and employes, and for contingent expenses, so that said unexpended balances may be available to pay mileage and per diem of members and salaries and per diem of officers and employes, and for contingent expenses of the Forty-second Legislature, making certain exceptions thereto, and declaring an emergency.'"

The amendments were severally adopted.

Senate bill No. 624 was then passed to third reading.

SENATE BILL NO. 624 ON THIRD READING.

The Speaker then laid Senate bill No. 624 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—105.

Adams of Jasper.	Carpenter.
Adamson.	Claunch.
Adkins.	Coombes.
Akin.	Cox of Limestone.
Albritton.	Dale.
Alsup.	Daniel.
Baker.	Davis.
Barron.	DeWolfe.
Bounds.	Dodd.
Brice.	Donnell.
Bryant.	Dowell.
Burns of Walker.	Dunlap.

Elliott.	Magee.
Farmer.	Mathis.
Farrar.	Moffett.
Ferguson.	Moore.
Finn.	Munson.
Fisher.	Murphy.
Forbes.	Nicholson.
Ford.	Patterson.
Fuchs.	Ramsey.
Gilbert.	Ratliff.
Giles.	Ray.
Goodman.	Reader.
Graves.	Richardson.
Greathouse.	Rogers.
Grogan.	Rountree.
Hanson.	Sanders.
Hardy.	Scott.
Harman.	Shelton.
Herzik.	Sherrill.
Hill.	Smith of Bastrop.
Holloway.	Smith of Wood.
Hoskins.	Sparkman.
Hubbard.	Stephens.
Hughes.	Stevenson.
Johnson	Steward.
of Dimmit.	Strong.
Johnson of Morris.	Tarwater.
Justiss.	Terrell
Kayton.	of Val Verde.
Keller.	Towery.
Kennedy.	Turner.
Laird.	Van Zandt.
Lasseter.	Vaughan.
Lee.	Veatch.
Lemens.	Wagstaff.
Leonard.	Walker.
Lilley.	Warwick.
Lockhart.	Weinert.
McCombs.	West of Coryell.
McDougald.	West of Cameron.
McGill.	Young.
McGregor.	

Nays—1.

Cox of Lamar.

Present—Not Voting.

Boyd.

Absent.

Adams of Harris.	Harrison
Anderson.	of Waller.
Beck.	Hatchitt.
Bedford.	Hefley.
Bond.	Hines.
Bradley.	Holder.
Brooks.	Holland.
Burns	Howsley.
of McCulloch.	Jackson.
Caven.	Johnson
Coltrin.	of Dallam.
Cunningham.	Jones of Shelby.
Duvall.	Jones of Atascosa.
Dwyer.	Long.
Harrison	Martin.
of El Paso.	Mehl.

Metcalfe.	Satterwhite.
Morse.	Savage.
Olsen.	Sullivant.
O'Quinn.	Westbrook.
Petsch.	Wiggs.
Pope.	Wyatt.

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

SENATE BILL NO. 31 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 31, A bill to be entitled "An Act to amend Section 16, Senate bill No. 11, Chapter 42, General Laws of the Second Called Session of the Thirty-first Legislature."

The bill was read second time.

(Mr. McGill in the chair.)

Mr. Adkins moved the previous question on the passage of the bill to third reading, and the motion was not seconded.

Mr. Graves offered the following amendment to the bill:

Amend Senate bill No. 31, page 1, line 36, by striking out of said line the figures "150" and substitute in lieu thereof the figures "100."

Mr. Metcalfe offered the following substitute for the amendment by Mr. Graves:

Amend Senate bill No. 31, page 1, line 36, by striking out of said line the figures "150" and substitute in lieu thereof the figures "125."

METCALFE,
LEMENS.

Mr. Bond moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question recurring on the amendment by Mr. Metcalfe, it was lost by the following vote:

Yeas—41.

Alsup.	Ford.
Brice.	Fuchs.
Bryant.	Gilbert.
Carpenter.	Hardy.
Caven.	Harrison
Claunch.	of Waller.
Coombes.	Hatchitt.
Daniel.	Herzik.
Davis.	Hill.
Forbes.	Hughes.

Johnson	Sparkman.
of Dallam.	Stephens.
Lemens.	Tarwater.
McGregor.	Towery.
Mathis.	Walker.
Metcalfe.	Warwick.
Morse.	Weinert.
Munson.	West of Coryell.
Olsen.	West of Cameron.
Petsch.	Wyatt.
Reader.	Young.
Smith of Bastrop.	

Nays—70.

Adams of Jasper.	Johnson of Morris.
Akin.	Justiss.
Albritton.	Kayton.
Baker.	Keller.
Bounds.	Kennedy.
Boyd.	Laird.
Brooks.	Lasseter.
Burns of Walker.	Lee.
Burns	Leonard.
of McCulloch.	Lilley.
Coltrin.	Long.
Cox of Lamar.	McCombs.
Cox of Limestone.	McDougald.
Dale.	Magee.
DeWolfe.	Martin.
Dodd.	Moore.
Dowell.	Murphy.
Dwyer.	O'Quinn.
Farmer.	Ratliff.
Farrar.	Ray.
Ferguson.	Richardson.
Finn.	Rogers.
Fisher.	Satterwhite.
Giles.	Savage.
Goodman.	Scott.
Graves.	Shelton.
Hanson.	Smith of Wood.
Harman.	Stevenson.
Hines.	Steward.
Holder.	Terrell
Holland.	of Val Verde.
Hoskins.	Turner.
Howsley.	Van Zandt.
Hubbard.	Vaughan.
Jackson.	Veatch.
Johnson	Wagstaff.
of Dimmit.	

Present—Not Voting.

Adamson.

Absent.

Adams of Harris.	Dunlap.
Adkins.	Duvall.
Anderson.	Elliott.
Barron.	Greathouse.
Beck.	Grogan.
Bedford.	Harrison
Bond.	of El Paso.
Bradley.	Hefley.
Cunningham.	Holloway.
Donnell.	Jones of Shelby.

Jones of Atascosa.	Rountree.
Lockhart.	Sanders.
Mehl.	Sherrill.
Moffett.	Strong.
Nicholson.	Sullivan.
Patterson.	Westbrook.
Pope.	Wiggs.
Ramsey.	

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

Question then recurring on the amendment by Mr. Graves, it was adopted by the following vote:

Yeas—64.

Adams of Jasper.	Johnson of Morris.
Akin.	Justiss.
Alsup.	Kayton.
Baker.	Kennedy.
Barron.	Lemens.
Bedford.	Lockhart.
Bounds.	Long.
Boyd.	Mathis.
Brice.	Moore.
Brooks.	Munson.
Bryant.	Olsen.
Burns of Walker.	Pope.
Carpenter.	Ratliff.
Claunch.	Ray.
Coltrin.	Richardson.
Dale.	Rogers.
Daniel.	Satterwhite.
Davis.	Savage.
De Wolfe.	Scott.
Dodd.	Sherrill.
Ferguson.	Smith of Wood.
Fisher.	Stevenson.
Ford.	Strong.
Fuchs.	Tarwater.
Giles.	Towery.
Goodman.	Van Zandt.
Graves.	Vaughan.
Greathouse.	Walker.
Harman.	Warwick.
Herzik.	Weinert.
Hoskins.	West of Coryell.
Johnson	Young.
of Dallam.	

Nays—50.

Adamson.	Farrar.
Albritton.	Finn.
Beck.	Forbes.
Burns	Gilbert.
of McCulloch.	Hanson.
Coombes.	Hill.
Cox of Lamar.	Hines.
Cox of Limestone.	Holland.
Cunningham.	Howsley.
Dowell.	Hubbard.
Dwyer.	Hughes.
Farmer.	

Johnson	Murphy.
of Dimmit.	O'Quinn.
Keller.	Patterson.
Laird.	Petsch.
Lasseter.	Reader.
Lee.	Shelton.
Leonard.	Smith of Bastrop.
Lilley.	Sparkman.
McCombs.	Steward.
McDougald.	Terrell
McGregor.	of Val Verde.
Magee.	Turner.
Martin.	Veatch.
Metcalfe.	Wagstaff.
Morse.	Wyatt.

Present—Not Voting.

Hatchitt.

Absent.

Adams of Harris.	Holder.
Adkins.	Holloway.
Anderson.	Jackson.
Bond.	Jones of Shelby.
Bradley.	Jones of Atascosa.
Caven.	Mehl.
Donnell.	Moffett.
Dunlap.	Nicholson.
Duvall.	Ramsey.
Elliott.	Rountree.
Grogan.	Sanders.
Hardy.	Stephens.
Harrison	Sullivan.
of El Paso.	West of Cameron.
Harrison	Westbrook.
of Waller.	Wiggs.
Hefley.	

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

Senate bill No. 31 was then passed to third reading by the following vote:

Yeas—84.

Alsup.	Finn.
Baker.	Fisher.
Beck.	Forbes.
Bedford.	Fuchs.
Boyd.	Gilbert.
Brice.	Giles.
Bryant.	Goodman.
Burns of Walker.	Graves.
Burns	Greathouse.
of McCulloch.	Hanson.
Carpenter.	Hardy.
Coltrin.	Hatchitt.
Coombes.	Herzik.
Cunningham.	Hill.
Dowell.	Holder.
Duvall.	Holland.
Dwyer.	Holloway.
Elliott.	Hoskins.
Ferguson.	Howsley.

Hubbard.	Reader.
Hughes.	Richardson.
Jackson.	Rountree.
Johnson	Satterwhite.
of Dallam.	Savage.
Johnson	Scott.
of Dimmit.	Shelton.
Keller.	Sherrill.
Laird.	Smith of Bastrop.
Lee.	Sparkman.
Lemens.	Stephens.
Leonard.	Stevenson.
Lilley.	Steward.
McCombs.	Strong.
McDougald.	Terrell
McGregor.	of Val Verde.
Magee.	Towery.
Metcalfe.	Turner.
Morse.	Van Zandt.
Munson.	Wagstaff.
Murphy.	Weinert.
Olsen.	West of Coryell.
O'Quinn.	West of Cameron.
Petsch.	Wyatt.
Pope.	Young.

Nays—32.

Adams of Jasper.	Justiss.
Adamson.	Kayton.
Albritton.	Kennedy.
Barron.	Lockhart.
Bounds.	Long.
Claunch.	Mathis.
Cox of Limestone.	Moore.
Dale.	Ratliff.
Daniel.	Ray.
Davis.	Rogers.
DeWolfe.	Smith of Wood.
Dodd.	Tarwater.
Farmer.	Vaughan.
Farrar.	Veatch.
Ford.	Walker.
Hines.	Warwick.

Absent.

Adams of Harris.	Hefley.
Adkins.	Johnson of Morris.
Akin.	Jones of Shelby.
Anderson.	Jones of Atascosa.
Bond.	Lasseter.
Bradley.	Martin.
Brooks.	Mehl.
Caven.	Moffett.
Cox of Lamar.	Nicholson.
Donnell.	Patterson.
Dunlap.	Ramsey.
Grogan.	Sanders.
Harman.	Sullivan.
Harrison.	Westbrook.
of El Paso.	Wiggs.
Harrison of Waller.	

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

MOTION TO TAKE UP SENATE
BILL NO. 31.

Mr. Johnson of Dimmit moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate bill No. 31 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

Nays—93.

Adams of Jasper.	Johnson
Alsup.	of Dimmit.
Baker.	Johnson of Morris.
Barron.	Keller.
Beck.	Laird.
Bedford.	Lee.
Boyd.	Lemens.
Brice.	Leonard.
Brooks.	Lilley.
Bryant.	Long.
Burns of Walker.	McCombs.
Burns	McDougald.
of McCulloch.	McGregor.
Carpenter.	Magee.
Claunch.	Martin.
Coltrin.	Metcalfe.
Coombes.	Morse.
Cox of Limestone.	Munson.
Cunningham.	Murphy.
Davis.	Olsen.
DeWolfe.	O'Quinn.
Dowell.	Patterson.
Duvall.	Petsch.
Dwyer.	Ramsey.
Elliott.	Ratliff.
Ferguson.	Reader.
Finn.	Richardson.
Fisher.	Satterwhite.
Forbes.	Savage.
Fuchs.	Shelton.
Giles.	Sherrill.
Goodman.	Smith of Bastrop.
Graves.	Sparkman.
Greathouse.	Stephens.
Hardy.	Stevenson.
Harman.	Steward.
Hatchitt.	Strong.
Herzik.	Terrell
Hill.	of Val Verde.
Hines.	Towery.
Holder.	Turner.
Holloway.	Van Zandt.
Hoskins.	Wagstaff.
Howsley.	Weinert.
Hubbard.	West of Coryell.
Hughes.	West of Cameron.
Jackson.	Wyatt.
Johnson	Young.
of Dallam.	

Nays—26.

Adamson.	Bond.
Albritton.	Bounds.

Cox of Lamar.	Kennedy.
Dale.	Lockhart.
Daniel.	Mathis.
Dodd.	Moore.
Farmer.	Ray.
Farrar.	Rogers.
Ford.	Scott.
Hanson.	Smith of Wood.
Harrison	Vaughan.
of El Paso.	Veatch.
Justiss.	Walker.
Kayton.	

Absent.

Adams of Harris.	Jones of Shelby.
Adkins.	Jones of Atascosa.
Akin.	Lasseter.
Anderson.	Mehl.
Bradley.	Moffett.
Caven.	Nicholson.
Donnell.	Pope.
Dunlap.	Rountree.
Gilbert.	Sanders.
Grogan.	Sullivant.
Harrison	Tarwater.
of Waller.	Warwick.
Hefley.	Westbrook.
Holland.	Wiggs.

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, May 14, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 225, A bill to be entitled "An Act amending Article 689, Chapter 7, Title 11, Revised Criminal Statutes of Texas, 1925, relating to the penalty for the sale, transportation, manufacturing, possessing, etc., of intoxicating liquor by repealing that provision of said article denying the benefits of the suspended sentence law to persons over the age of 25 years, and declaring an emergency."

H. B. No. 163, A bill to be entitled "An Act repealing Articles 5521 and 5523, and amending Article 5520, Chapter 1, Title 91, Revised Civil Statutes of Texas, 1925, relating to vendor's lien, mortgage lien and deed of trust notes secured by lien on real estate; providing time and manner of the running of limitation thereon, etc., and declaring an emergency."

H. B. No. 170, A bill to be entitled "An Act to amend Article 324 of the Revised Civil Statutes of 1925, as amended by House bill No. 222, Chapter 254, Acts of the Regular Session of the Forty-first Legislature, and declaring an emergency."

H. B. No. 550, A bill to be entitled "An Act amending Articles 1034 and 1035 of the Code of Criminal Procedure of 1925, so as to hereafter make the approval of officers' felony accounts to be made by the district judge, subject to and conditioned with the approval of the State Comptroller; providing for the recording of such approval in the minutes of the district court; providing that the district clerk shall make a certified copy from the minutes of said court of said bill and the action of the judge thereon, and the sending of the same by registered mail to the Comptroller, etc., and declaring an emergency," with amendments.

H. B. No. 988, A bill to be entitled "An Act authorizing counties and incorporated cities and the Texas State Parks Board, separately or in cooperation with each other, to acquire by gift or purchase land for public parks; authorizing the issuance of bonds and levy of taxes therefor; providing for control and operation of such parks, and declaring an emergency."

H. B. No. 1026, A bill to be entitled "An Act fixing the venue of suits brought on policies and contracts made by fraternal benefit societies, and declaring an emergency," with amendments.

H. B. No. 1047, A bill to be entitled "An Act to amend Senate bill No. 139, as enacted by the Forty-second Legislature at its Regular Session, the purpose of which was to authorize county boards of school trustees in certain counties of Texas to employ rural school supervisors in lieu of holding teachers' institutes; defining their duties, fixing their compensation, and declaring an emergency."

S. B. No. 564, A bill to be entitled "An Act amending Article 7268 of the Revised Civil Statutes of 1925, and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 150 WITH SENATE AMENDMENTS.

Mr. Gilbert called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 150, A bill to be entitled "An Act amending Article 6204, Revised Civil Statutes of 1925, as amended by Chapter 82, General Laws of the Fifth Called Session of the Forty-first Legislature, and amending Article 6205, Revised Civil Statutes of 1925, as amended by Chapter 153, General and Special Laws of the Forty-first Legislature, and as further amended by Chapter 82, General Laws of the Fifth Called Session of the Forty-first Legislature; and amending Article 6221, Revised Civil Statutes, 1925, as amended by Chapter 5, General Laws of the Second Called Session of the Forty-first Legislature, and as further amended by Chapter 82, General Laws of the Fifth Called Session of the Forty-first Legislature, etc., and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. Gilbert moved that the House do not concur in the Senate amendments, and that a free conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, May 14, 1931.
Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 150, A bill to be entitled "An Act amending Article 6204, Revised Civil Statutes of 1925, as amended by Chapter 82, General Laws of the Fifth Called Session of the Forty-first Legislature, and amending Article 6205, Revised Civil Statutes of 1925, as amended by Chapter 153, General and Special Laws of the Forty-first Legislature, and as further amended by Chapter 82, General Laws of the Fifth Called Session of the Forty-first Legislature, and amending Article 6221, Revised Civil Statutes, 1925, as amended by Chapter 5, General Laws of the Sec-

ond Called Session of the Forty-first Legislature, and as further amended by Chapter 82, General Laws of the Fifth Called Session of the Forty-first Legislature, etc., and declaring an emergency," with amendments.

H. B. No. 386, A bill to be entitled "An Act to amend Section 1, Chapter 47, General and Special Laws, Forty-first Legislature, First Called Session, by adding thereto Section 1a, providing for the transfer of territory and the organization of school districts, and declaring an emergency."

H. B. No. 905, A bill to be entitled "An Act requiring the judge of any court in which a defendant is convicted of driving a motor vehicle while under the influence of intoxicating liquor to enter an order prohibiting such person so convicted from driving any motor vehicle for a period of two years; providing that a violation of such order shall be punished as for contempt, and declaring an emergency," with amendments.

H. B. No. 353, A bill to be entitled "An Act to amend Article 1811, Revised Civil Statutes of 1925, so as to provide for the appointment by the Court of Criminal Appeals of the State prosecuting attorney before said court, prescribing the duties, qualifications and term of office of said attorney; transferring all duties and matters now provided by law for the 'Assistant State Prosecuting Attorney' to the State Prosecuting Attorney, and declaring an emergency."

H. B. No. 664, A bill to be entitled "An Act to amend Article 2905, Revised Civil Statutes, State of Texas, 1925, conferring the authority upon the county school trustees to exercise the right of eminent domain to acquire title to real property for common school districts and independent school districts having fewer than 150 scholastics; repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 625, A bill to be entitled "An Act to create and establish San Antonio River Canal and Conservation District under authority of Section 59 of Article 16 of the Constitution of Texas, to be a governmental agency, a body politic, municipal and corporate; also stating the intent and defining certain words and expressions as used in this act, and declaring an emergency."

The Senate has adopted S. C. R. No. 50, requesting the return of Senate bill No. 172 from the Governor's office for further consideration.

The Senate has refused to concur in House amendments to Senate bill No. 382, and requests the appointment of a conference committee. The following have been appointed on the part of the Senate: Messrs. Woodul, Purl, Williamson, Patton and Loy.

Respectfully,
BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 508 WITH SENATE AMENDMENTS.

Mr. Sanders called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 508, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employes of certain educational institutions and other expenses of maintaining and conducting them, as follows, to-wit: The Agricultural and Mechanical College of Texas, Texas Experimental Station; The North Texas Junior Agricultural College; John Tarleton Agricultural College; Prairie View State Normal and Industrial College; the University of Texas, including the Medical Branch at Galveston and the College of Mines and Metallurgy at El Paso; College of Industrial Arts; Texas Technological College; East Texas State Teachers College at Commerce; North Texas State Teachers College at Denton; Sam Houston State Teachers College at Huntsville; Stephen F. Austin State Teachers College at Nacogdoches; the Texas College of Arts and Industries at Kingsville; Southwest Texas State Teachers College at San Marcos; Sul Ross State Teachers College at Alpine; West Texas State Teachers College at Canyon; Texas School for the Blind, and Texas School for the Deaf, for the years beginning September 1, 1931, and ending August 31, 1933, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. Sanders moved that the House do not concur in the Senate amend-

ments, and that a free conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

RESOLUTION SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled resolution:

H. C. R. No. 63, Relative to correcting House joint resolution No. 6.

HOUSE BILL NO. 905 WITH SENATE AMENDMENTS.

Mr. Burns of McCulloch called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 905, A bill to be entitled "An Act requiring the judge of any court in which a defendant is convicted of driving a motor vehicle while under the influence of intoxicating liquor to enter an order prohibiting such person so convicted from driving any motor vehicle for a period of two years; providing that a violation of such order shall be punished as for contempt, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Burns of McCulloch, the House concurred in the Senate amendments by the following vote:

Yeas—109.

Adams of Jasper.	Burns
Adamson.	of McCulloch.
Adkins.	Caven.
Akin.	Claunch.
Albritton.	Coltrin.
Alsup.	Coombes.
Baker.	Cox of Lamar.
Barron.	Cox of Limestone.
Beck.	Dale.
Bedford.	Davis.
Bond.	DeWolfe.
Bounds.	Donnell.
Boyd.	Dowell.
Brice.	Elliott.
Brooks.	Farmer.
Bryant.	Farrar.
Burns of Walker.	Ferguson.

Fisher.	Martin.
Forbes.	Mathis.
Ford.	Metcalfe.
Fuchs.	Morse.
Gilbert.	Munson.
Giles.	Murphy.
Greathouse.	Olsen.
Grogan.	Patterson.
Hanson.	Petsch.
Hardy.	Ramsey.
Harman.	Ratliff.
Harrison	Ray.
of El Paso.	Reader.
Hatchitt.	Richardson.
Herzik.	Rogers.
Hill.	Satterwhite.
Hines.	Savage.
Holder.	Scott.
Holland.	Shelton.
Holloway.	Smith of Bastrop.
Hoskins.	Smith of Wood.
Howsley.	Sparkman.
Hubbard.	Stephens.
Hughes.	Steward.
Jackson.	Tarwater.
Johnson	Terrell
of Dimmit.	of Val Verde.
Jones of Shelby.	Towery.
Justiss.	Turner.
Kennedy.	Vaughan.
Laird.	Veatch.
Lee.	Wagstaff.
Lemens.	Walker.
Leonard.	Warwick.
Lilley.	Weinert.
Lockhart.	West of Coryell.
Long.	West of Cameron.
McDougald.	Wiggs.
McGregor.	Wyatt.
Magee.	

Nays—1.

Finn.

Absent.

Adams of Harris.	Kayton.
Anderson.	Keller.
Bradley.	Lasseter.
Carpenter.	McCombs.
Cunningham.	Mehl.
Daniel.	Moffett.
Dodd.	Moore.
Dunlap.	Nicholson.
Duvall.	O'Quinn.
Dwyer.	Pope.
Goodman.	Rountree.
Graves.	Sanders.
Harrison	Sherrill.
of Waller.	Stevenson.
Hefley.	Strong.
Johnson	Sullivant.
of Dallam.	Van Zandt.
Johnson of Morris.	Westbrook.
Jones of Atascosa.	Young.

Absent—Excused.

Engelhard.

Terrell of Cherokee.

SENATE BILL NO. 5 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 5, A bill to be entitled "An Act to amend Chapter 8, being Senate bill No. 57, General Laws, Fourth Called Session, Forty-first Legislature, and Chapter 10 of Title 122 of the Revised Civil Statutes of Texas of 1925, by adding thereto another article, to be known as Article 7335a, limiting the powers of commissioners courts in making contracts in connection with the collection of delinquent taxes; limiting the compensation that can be paid under such contracts, and declaring an emergency."

The bill was read second time.

Mr. Harman offered the following amendment to the bill:

Amend House bill No. 524 by striking out all below the enacting clause and insert in lieu thereof the following:

Section 1. It is hereby declared the policy of the State to adjust delinquent taxes, correct errors, to eliminate conflicts in surveys of land, and to collect the delinquent, occupation, franchise and ad valorem taxes, in order to clear this State of such taxes, errors and conflicts at the earliest date possible, and to provide a system for assessors, in order to eliminate the numerous errors that now appear on the tax rolls each recurring year.

Sec. 2. All taxes shown to be due for years prior to 1915 shall be cancelled off the tax records both in the counties and in the Comptroller's and Secretary of State's offices.

Sec. 3. Cost of collecting delinquent taxes shall not exceed the amount of the penalty and interest, or an amount equal to such penalty and interest of all delinquent taxes collected. Any county desiring to install a tax or plat system and clear the county of errors, conflicts and unknown owners, may do so by paying not to exceed 20 per cent of the delinquent taxes collected, which payment shall cover the cost of records and installing same.

Sec. 4. In order to speedily carry out the provisions of this act, the State Comptroller and the commissioners court of each of the several

counties are required to employ competent persons to do the work and to furnish the Comptroller and the commissioners court all cases where adjustment is necessary; and in all such cases the commissioners court shall make proper settlement or adjustment.

Sec. 5. This act is not intended to change any law now in effect regarding the collection of delinquent taxes, but to be an aid to the officials in the discharge of their duties, and when the delinquent taxes in a county are adjusted, corrected and collected, the Comptroller shall take necessary steps to see that all delinquent taxes are collected within a reasonable time after they become delinquent, in order to avoid the necessity of again employing additional help.

Sec. 6. The fact that officials have let State taxes become delinquent to the amount of approximately \$20,000,000, most of which can be collected by adjustment and correction of errors, and the further fact that counties where land conflicts causes millions of dollars of property to appear on the tax rolls that does not exist, which facts show the necessity for a tax system, and the further fact that the State and counties are in need of their money, creates an emergency and a public necessity exists requiring the suspension of the constitutional rule that requires bills to be read on three several days, and said rule is hereby suspended and this act shall take effect on the date of its passage, and it is so enacted.

Mr. Barron offered the following amendment to the amendment:

Amend substitute to Senate bill No. 5 by striking out all of Section 2 and renumbering succeeding sections accordingly.

**BARRON,
KENNEDY.**

The amendment was adopted.

Mr. Ferguson offered the following amendments to the amendment:

(1)

Amend Harman substitute for Senate bill No. 5 by striking out the figures and symbol "20%" where it appears in line 37 of the printed substitute and insert in lieu thereof the words "fifteen per cent."

**FERGUSON,
GILES.**

(2)

Amend substitute for Senate bill No. 5 by striking out the word "surveys" in line 23 of the printed substitute and insert in lieu thereof the words "renditions and assessments."

The amendments were severally adopted.

The committee amendment as amended was then adopted.

Mr. Ferguson offered the following amendment to the bill:

Amend Senate bill No. 5 by striking out all above the enacting clause and insert in lieu thereof the following:

"A bill to be entitled 'An Act declaring the policy of the State with reference to delinquent taxes; providing for the collection of said taxes and for the installment of a tax or plat system; and providing for the Comptroller and the commissioners courts of the several counties to employ competent persons to collect delinquent taxes and to install a tax or plat system, and declaring an emergency.'"

The amendment was adopted.

Senate bill No. 5 was then passed to third reading.

SENATE BILL NO. 5 ON THIRD READING.

Mr. Harman moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate bill No. 5 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—113.

Adams of Jasper.	Carpenter.
Adamson.	Caven.
Adkins.	Claunch.
Akin.	Coltrin.
Albritton.	Coombes.
Alsup.	Cox of Lamar.
Anderson.	Cox of Limestone.
Baker.	Cunningham.
Barron.	Dale.
Beck.	Davis.
Bedford.	DeWolfe.
Bond.	Dodd.
Bounds.	Dowell.
Boyd.	Dunlap.
Brice.	Dwyer.
Brooks.	Elliott.
Bryant.	Ferguson.
Burns of Walker.	Finn.
Burns	Fisher.
of McCulloch.	Forbes.

Ford.	Mathis.
Fuchs.	Moore.
Giles.	Morse.
Graves.	Munson.
Greathouse.	Murphy.
Grogan.	Olsen.
Hanson.	O'Quinn.
Harman.	Patterson.
Harrison	Petsch.
of El Paso.	Pope.
Harrison	Ramsey.
of Waller.	Ratliff.
Hatchitt.	Ray.
Herzik.	Reader.
Hill.	Richardson.
Hines.	Rogers.
Holder.	Rountree.
Holloway.	Satterwhite.
Hoskins.	Savage.
Hubbard.	Scott.
Hughes.	Smith of Bastrop.
Jackson.	Smith of Wood.
Johnson	Sparkman.
of Dimmit.	Stephens.
Johnson of Morris.	Steward.
Jones of Shelby.	Strong.
Justiss.	Tarwater.
Keller.	Terrell
Kennedy.	of Val Verde.
Laird.	Towery.
Lee.	Turner.
Lemens.	Vaughan.
Leonard.	Wagstaff.
Lilley.	Walker.
Lockhart.	Warwick.
McDougald.	Weinert.
McGregor.	West of Coryell.
Magee.	Wiggs.
Martin.	Wyatt.

Nays—3.

Farmer.	McCombs.
Gilbert.	

Absent.

Adams of Harris.	Long.
Bradley.	Mehl.
Daniel.	Metcalf.
Donnell.	Moffett.
Duvall.	Nicholson.
Farrar.	Sanders.
Goodman.	Shelton.
Hardy.	Sherrill.
Hefley.	Stevenson.
Holland.	Sullivant.
Howsley.	Van Zandt.
Johnson	Veatch.
of Dallam.	West of Cameron.
Jones of Atascosa.	Westbrook.
Kayton.	Young.
Lasseter.	

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

The Speaker then laid Senate bill No. 5 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—109.

Adams of Jasper.	Hubbard.
Adamson.	Hughes.
Adkins.	Jackson.
Akin.	Johnson
Albritton.	of Dimmit.
Alsup.	Johnson of Morris.
Baker.	Jones of Shelby.
Barron.	Justiss.
Bedford.	Kayton.
Bounds.	Kennedy.
Boyd.	Laird.
Brice.	Lee.
Brooks.	Lemens.
Bryant.	Leonard.
Burns of Walker.	Lilley.
Burns	Lockhart.
of McCulloch.	Long.
Carpenter.	McDougald.
Caven.	Magee.
Coltrin.	Martin.
Coombes.	Mathis.
Cox of Lamar.	Metcalf.
Cox of Limestone.	Moore.
Cunningham.	Morse.
Dale.	Munson.
DeWolfe.	Murphy.
Dodd.	O'Quinn.
Dowell.	Pope.
Dwyer.	Ramsey.
Elliott.	Ratliff.
Ferguson.	Ray.
Finn.	Reader.
Fisher.	Richardson.
Forbes.	Rogers.
Ford.	Rountree.
Fuchs.	Satterwhite.
Gilbert.	Savage.
Giles.	Smith of Bastrop.
Goodman.	Smith of Wood.
Graves.	Sparkman.
Greathouse.	Stephens.
Grogan.	Steward.
Hanson.	Strong.
Hardy.	Sullivant.
Harman.	Tarwater.
Harrison	Terrell
of El Paso.	of Val Verde
Harrison	Turner.
of Waller.	Vaughan.
Hatchitt.	Veatch.
Herzik.	Wagstaff..
Hill.	Walker.
Hines.	Warwick.
Holder.	Weinert.
Holloway.	West of Coryell.
Hoskins.	Wiggs.
Howsley.	Wyatt.

Nays—4.

Farmer. McCombs.
Keller. Scott.

Present—Not Voting.

Farrar.

Absent.

Adams of Harris.	McGregor.
Anderson.	Mehl.
Beck.	Moffett.
Bond.	Nicholson.
Bradley.	Olsen.
Claunch.	Patterson.
Daniel.	Petsch.
Davis.	Sanders.
Donnell.	Shelton.
Dunlap.	Sherrill.
Duvall.	Stevenson.
Hefley.	Towery.
Holland.	Van Zandt.
Johnson	West of Cameron.
of Dallam.	Westbrook.
Jones of Atascosa.	Young.
Lasseter.	

Absent—Excused.

Engelhard. Terrell
 of Cherokee.

SENATE BILL NO. 35 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 35, A bill to be entitled "An Act making an appropriation to remove the remains of certain heroes and providing monuments for such heroes, and declaring an emergency."

The bill was read second time.

Mr. Sanders offered the following (committee) amendment to the bill:

Amend Senate bill No. 35 by adding to Section 1 the following:

"Erecting a monument at the grave of Benjamin B. Goodrich at Anderson, Texas, \$200.

"Erecting a monument at the grave of Mary Houston at Independence, Texas, or for removal of remains to Huntsville, Texas, by the side of her illustrious husband, Sam Houston, and erection of a monument there, \$500."

The amendment was adopted.

Senate bill No. 35 was then passed to third reading.

SENATE BILL NO. 35 ON THIRD READING.

Mr. Sanders moved that the constitutional rule requiring bills to be

read on three several days be suspended, and that Senate bill No. 35 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Adams of Jasper.	Johnson
Adamson.	of Dimmit.
Adkins.	Jones of Shelby.
Alsup.	Justiss.
Anderson.	Kayton.
Baker.	Keller.
Barron.	Kennedy.
Beck.	Lasseter.
Bedford.	Lee.
Bond.	Leonard.
Bounds.	Lilley.
Bryant.	Lockhart.
Burns of Walker.	Long.
Carpenter.	McCombs.
Caven.	McDougald.
Claunch.	McGregor.
Coltrin.	Magee.
Coombes.	Martin.
Cox of Limestone.	Mathis.
Dale.	Metcalfe.
Daniel.	Moore.
Davis.	Morse.
Dodd.	Munson.
Dowell.	Murphy.
Dunlap.	Olsen.
Dwyer.	Pope.
Elliott.	Ramsey.
Farrar.	Ratliff.
Finn.	Reader.
Fisher.	Richardson.
Forbes.	Sanders.
Ford.	Satterwhite.
Fuchs.	Savage.
Giles.	Scott.
Graves.	Sherrill.
Greathouse.	Smith of Bastrop.
Grogan.	Smith of Wood.
Hanson.	Sparkman.
Hardy.	Steward.
Hatchitt.	Strong.
Herzik.	Tarwater.
Hill.	Terrell
Hines.	of Val Verde.
Holder.	Towery.
Holloway.	Turner.
Hoskins.	Veatch.
Howsley.	Wagstaff.
Hubbard.	Walker.
Jackson.	Warwick.
Johnson	Weinert.
of Dallam.	West of Coryell.
	Wyatt.

Nays—6.

Cox of Lamar.	Stephens.
Farmer.	Vaughan.
Rogers.	Wiggs.

Present—Not Voting.

Akin.

Brice.

Absent.

Adams of Harris.	Hughes.
Albritton.	Johnson of Morris.
Boyd.	Jones of Atascosa.
Bradley.	Laird.
Brooks.	Lemens.
Burns	Mehl.
of McCulloch.	Moffett.
Cunningham.	Nicholson.
DeWolfe.	O'Quinn.
Donnell.	Patterson.
Duvall.	Petsch.
Ferguson.	Ray.
Gilbert.	Rountree.
Goodman.	Shelton.
Harman.	Stevenson.
Harrison	Sullivant.
of El Paso.	Van Zandt.
Harrison	West of Cameron.
of Waller.	Westbrook.
Hefley.	Young.
Holland.	

Absent—Excused.

Engelhard.

Terrell
of Cherokee.

The Speaker then laid Senate bill No. 35 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—93.

Adams of Jasper.	Fuchs.
Adamson.	Gilbert.
Alsup.	Giles.
Anderson.	Goodman.
Baker.	Graves.
Barron.	Greathouse.
Beck.	Grogan.
Bedford.	Hanson.
Bounds.	Hardy.
Boyd.	Harrison
Bryant.	of El Paso.
Burns of Walker.	Hatchitt.
Carpenter.	Herzik.
Claunch.	Hill.
Coltrin.	Hines.
Coombes.	Holder.
Cox of Limestone.	Holland.
Daniel.	Holloway.
Davis.	Hoskins.
Dodd.	Hubbard.
Dowell.	Jackson.
Elliott.	Johnson
Farrar.	of Dallam.
Finn.	Jones of Shelby.
Fisher.	Justiss.
Forbes.	Keller.
Ford.	Kennedy.

Lasseter.

Lee.

Leonard.

Lilley.

Lockhart.

Long.

McCombs.

McDougald.

McGregor.

Magee.

Martin.

Mathis.

Moore.

Morse.

Munson.

Murphy.

Olsen.

Pope.

Ramsey.

Ratliff.

Reader.

Richardson.

Sanders.

Satterwhite.

Savage.

Scott.

Sherrill.

Smith of Bastrop.

Smith of Wood.

Sparkman.

Stevenson.

Steward.

Strong.

Tarwater.

Towery.

Turner.

Wagstaff.

Walker.

Warwick.

West of Coryell.

Wyatt.

Nays—10.

Akin.

Bond.

Cox of Lamar.

Farmer.

Kayton.

Rogers.

Stephens.

Vaughan.

Veatch.

Wiggs.

Present—Not Voting.

Brice.

Absent.

Adams of Harris.	Johnson
Adkins.	of Morris.
Albritton.	Jones of Atascosa.
Bradley.	Laird.
Brooks.	Lemens.
Burns	Mehl.
of McCulloch.	Metcalfe.
Caven.	Moffett.
Cunningham.	Nicholson.
Dale.	O'Quinn.
DeWolfe.	Patterson.
Donnell.	Petsch.
Dunlap.	Ray.
Duvall.	Rountree.
Dwyer.	Shelton.
Ferguson.	Sullivant.
Harman.	Terrell
Harrison	of Val Verde.
of Waller.	Van Zandt.
Hefley.	Weinert.
Howsley.	West of Cameron.
Hughes.	Westbrook.
Johnson	Young.
of Dimmit.	

Absent—Excused.

Engelhard.

Terrell
of Cherokee.

(Speaker in the chair.)

**MOTION TO TAKE UP SENATE
BILL NO. 585.**

Mr. Pope moved that the regular order of business be suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 585, A bill to be entitled "An Act creating the Board of Mansion Supervisors, and declaring an emergency."

The motion was lost, not receiving the necessary two-thirds vote.

**SENATE BILL NO. 38 ON SEC-
OND READING.**

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 38, A bill to be entitled "An Act amending Section 3a, Chapter 88, Acts of the Second Called Session of the Forty-first Legislature, by adding thereto Section 3b, providing for the refunding of license fees paid on motor vehicles which are subsequently demolished or destroyed; prescribing the fee therefor, and the means and manner of making such refund, and declaring an emergency."

The bill was read second time.

Mr. Hubbard offered the following amendment to the bill:

Amend Senate bill No. 38 by striking out Section 1c.

The amendment was adopted.

Senate bill No. 38 was then passed to third reading.

**SENATE BILL NO. 38 ON THIRD
READING.**

Mr. Hubbard moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate bill No. 38 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106.

Adams of Jasper.	Burns
Adamson.	of McCulloch.
Akin.	Carpenter.
Alsup.	Caven.
Baker.	Claunch.
Beck.	Coombes.
Bedford.	Cox of Lamar.
Bounds.	Cox of Limestone.
Boyd.	Davis.
Brice.	DeWolfe.
Brooks.	Dodd.
Bryant.	Dunlap.
Burns of Walker.	Dwyer.

Elliott.	Lockhart.
Farmer.	Long.
Farrar.	McCombs.
Finn.	McDougald.
Fisher.	McGill.
Forbes.	McGregor.
Ford.	Magee.
Gilbert.	Martin.
Giles.	Mathis.
Graves.	Moffett.
Greathouse.	Moore.
Grogan.	Morse.
Hanson.	Munson.
Hardy.	Murphy.
Harrison	Olsen.
of El Paso.	O'Quinn.
Harrison	Petsch.
of Waller.	Ratliff.
Hatchitt.	Richardson.
Hill.	Rogers.
Hines.	Rountree.
Holder.	Sanders.
Holland.	Satterwhite.
Holloway.	Savage.
Hoskins.	Scott.
Howsley.	Smith of Bastrop.
Hubbard.	Smith of Wood.
Hughes.	Sparkman.
Jackson.	Stephens.
Johnson	Steward.
of Dallam.	Strong.
Johnson	Tarwater.
of Dimmit.	Towery.
Johnson of Morris.	Turner.
Jones of Shelby.	Veatch.
Justiss.	Wagstaff.
Keller.	Walker.
Kennedy.	Warwick.
Lasseter.	Weinert.
Lee.	West of Coryell.
Lemens.	West of Cameron.
Leonard.	Wyatt.
Lilley.	

Nays—1.

Pope.

Present—Not Voting.

Sherrill.

Absent.

Adams of Harris.	Goodman.
Adkins.	Harman.
Albritton.	Hefley.
Anderson.	Herzik.
Barron.	Jones of Atascosa.
Bond.	Kayton.
Bradley.	Laird.
Coltrin.	Mehl.
Cunningham.	Metcalfe.
Dale.	Nicholson.
Daniel.	Patterson.
Donnell.	Ramsey.
Dowell.	Ray.
Duvall.	Reader.
Ferguson.	Shelton.
Fuchs.	Stevenson.

Sullivant.
Terrell
of Val Verde.
Van Zandt.

Vaughan.
Westbrook.
Wiggs.
Young.

Absent—Excused.

Engelhard. Terrell
of Cherokee.

The Speaker then laid Senate bill No. 38 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—104.

Mr. Speaker.	Hubbard.
Adams of Jasper.	Hughes.
Adamson.	Jackson.
Akin.	Johnson
Alsup.	of Dallam.
Baker.	Johnson
Beck.	of Dimmit.
Bedford.	Johnson of Morris.
Bond.	Jones of Shelby.
Bounds.	Justiss.
Boyd.	Keller.
Brice.	Kennedy.
Bryant.	Lee.
Burns of Walker.	Lemens.
Burns	Leonard.
of McCulloch.	Lilley.
Carpenter.	Lockhart.
Caven.	Long.
Claungh.	McCombs.
Coombes.	McDougald.
Cox of Lamar.	McGill.
Cox of Limestone.	McGregor.
Daniel.	Magee.
Davis.	Martin.
Dodd.	Mathis.
Dowell.	Moffett.
Dwyer.	Moore.
Elliott.	Morse.
Farmer.	Munson.
Farrar.	Murphy.
Finn.	Olsen.
Fisher.	Petsch.
Forbes.	Pope.
Gilbert.	Ratliff.
Giles.	Richardson.
Graves.	Rogers.
Greathouse.	Sanders.
Hanson.	Satterwhite.
Hardy.	Savage.
Harman.	Sherrill.
Harrison	Smith of Bastrop.
of El Paso.	Smith of Wood.
Hatchitt.	Sparkman.
Herzik.	Stephens.
Hill.	Steward.
Hines.	Strong.
Holder.	Tarwater.
Holland.	Towery.
Holloway.	Turner.
Howsley.	Vaughan.

Veatch.
Wagstaff.
Walker.
Warwick.

Weinert.
West of Coryell.
Wyatt.
Young.

Nays—7.

Brooks.
Dale.
DeWolfe.
Ford.

Grogan.
Lasseter.
West of Cameron.

Absent.

Adams of Harris.	Laird.
Adkins.	Mehl.
Albritton.	Metcalf.
Anderson.	Nicholson.
Barron.	O'Quinn.
Bradley.	Patterson.
Coltrin.	Ramsey.
Cunningham.	Ray.
Donnell.	Reader.
Dunlap.	Rountree.
Duvall.	Scott.
Ferguson.	Shelton.
Fuchs.	Stevenson.
Goodman.	Sullivant.
Harrison	Terrell
of Waller.	of Val Verde.
Hefley.	Van Zandt.
Hoskins.	Westbrook.
Jones of Atascosa.	Wiggs.
Kayton.	

Absent—Excused.

Engelhard. Terrell
of Cherokee.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, May 14, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has refused to concur in House amendments to Senate bill No. 259 and requests the appointment of a conference committee. The following have been appointed on the part of the Senate: Messrs. Beck, Woodul, Woodward, Williamson and Moore.

Respectfully,

BOB BARKER,
Secretary of the Senate.

SENATE BILL NO. 31 ON THIRD READING.

Mr. Mathis moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate bill No. 31 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104.

Mr. Speaker.	Johnson
Adams of Jasper.	of Dimmit.
Adamson.	Johnson of Morris.
Alsup.	Jones of Shelby.
Baker.	Justiss.
Beck.	Keller.
Bedford.	Kennedy.
Bond.	Laird.
Bounds.	Lee.
Boyd.	Lemens.
Brice.	Leonard.
Brooks.	Lilley.
Bryant.	Lockhart.
Burns of Walker.	Long.
Burns	McDougald.
of McCulloch.	McGill.
Caven.	McGregor.
Claunch.	Magee.
Coombes.	Martin.
Cox of Lamar.	Mathis.
Cox of Limestone.	Moffett.
Daniel.	Morse.
Davis.	Munson.
DeWolfe.	Murphy.
Dowell.	Olsen.
Dunlap.	O'Quinn.
Dwyer.	Patterson.
Elliott.	Petsch.
Farrar.	Pope.
Finn.	Ratliff.
Fisher.	Richardson.
Forbes.	Rogers.
Ford.	Rountree.
Gilbert.	Satterwhite.
Giles.	Savage.
Graves.	Sherrill.
Greathouse.	Smith of Bastrop.
Grogan.	Smith of Wood.
Hanson.	Sparkman.
Hardy.	Stephens.
Harman.	Steward.
Harrison	Strong.
of El Paso.	Towery.
Hatchitt.	Turner.
Herzik.	Vaughan.
Hines.	Veatch.
Holder.	Wagstaff.
Holloway.	Walker.
Hoskins.	Weinert.
Howsley.	West of Coryell.
Hubbard.	West of Cameron.
Hughes.	Wyatt.
Jackson.	Young.
Johnson	
of Dallam.	

Nays—6.

Albritton.	Farmer.
Dale.	Lasseter.
Dodd.	Stevenson.

Absent.

Adams of Harris.	Anderson.
Adkins.	Barron.
Akin.	Bradley.

Carpenter.	Metcalf.
Coltrin.	Moore.
Cunningham.	Nicholson.
Donnell.	Ramsey.
Duvall.	Ray.
Ferguson.	Reader.
Fuchs.	Sanders.
Goodman.	Scott.
Harrison	Shelton.
of Waller.	Sullivant.
Hefley.	Tarwater.
Hill.	Terrell
Holland.	of Val Verde.
Jones of Atascosa.	Van Zandt.
Kayton.	Warwick.
McCombs.	Westbrook.
Mehl.	Wiggs.

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

The Speaker then laid Senate bill No. 31 before the House on its third reading and final passage.

The bill was read third time.

Mr. Cox of Lamar offered the following amendment to the bill:

Amend Senate bill No. 31 by adding another section to be known as Section 16a-3, as follows:

"Section 16a-3. One-fourth of the number on this highway patrol shall at all times be assigned to night duty."

COX of Lamar,
SAVAGE.

The amendment was adopted.

Mr. DeWolfe offered the following amendment to the bill:

Amend Senate bill No. 31, page 1, line 36, by inserting after the word "patrolman" the following: "and said number shall constitute the sole and only employes of the department to accomplish the purpose of this bill, and in said number shall be included the license and weight inspectors authorized by Section 16 of Chapter 42, Acts of Second Called Session of Forty-first Legislature."

DeWOLFE,
PETSCH.

The amendment was adopted.

Mr. Kayton offered the following amendment to the bill:

Amend Senate bill No. 31, page 1, line 29, by striking out all of said line.

Mr. Keller moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question recurring on the amendment by Mr. Kayton, it was lost.

Senate bill No. 31 was then passed by the following vote:

Yeas—94.

Adams of Jasper.	Justiss.
Alsup.	Keller.
Baker.	Kennedy.
Barron.	Laird.
Beck.	Lee.
Bedford.	Lemens.
Bond.	Leonard.
Boyd.	Lilley.
Brice.	Lockhart.
Bryant.	McCombs.
Burns of Walker.	McDougald.
Carpenter.	McGill.
Caven.	McGregor.
Coltrin.	Martin.
Coombes.	Mathis.
Cox of Limestone.	Moffett.
DeWolfe.	Morse.
Donnell.	Munson.
Dowell.	Murphy.
Dunlap.	Olsen.
Dwyer.	O'Quinn.
Elliott.	Petsch.
Fisher.	Pope.
Forbes.	Ratliff.
Fuchs.	Reader.
Gilbert.	Richardson.
Giles.	Rountree.
Goodman.	Sanders.
Graves.	Satterwhite.
Greathouse.	Savage.
Grogan.	Scott.
Hanson.	Sherrill.
Hardy.	Smith of Bastrop.
Hatchitt.	Sparkman.
Hill.	Stephens.
Hines.	Steward.
Holder.	Strong.
Holland.	Terrell
Holloway.	of Val Verde.
Hoskins.	Towery.
Howsley.	Turner.
Hughes.	Wagstaff.
Jackson.	Walker.
Johnson	Weinert.
of Dallam.	West of Coryell.
Johnson	West of Cameron.
of Dimmit.	Wyatt.
Johnson of Morris.	Young.
Jones of Shelby.	

Nays—26.

Adamson.	Daniel.
Adkins.	Davis.
Akin.	Dodd.
Albritton.	Farmer.
Bounds.	Farrar.
Brooks.	Ford.
Claunch.	Harman.
Cox of Lamar.	Kayton.
Dale.	Lasseter.

Long.	Stevenson.
Moore.	Vaughan.
Rogers.	Veatch.
Smith of Wood.	Warwick.

Absent.

Adams of Harris.	Hubbard.
Anderson.	Jones of Atascosa.
Bradley.	Magee.
Burns	Mehl.
of McCulloch.	Metcalfe.
Cunningham.	Nicholson.
Duvall.	Patterson.
Ferguson.	Ramsey.
Finn.	Ray.
Harrison	Shelton.
of El Paso.	Sullivant.
Harrison	Tarwater.
of Waller.	Van Zandt.
Hefley.	Westbrook.
Herzik.	Wiggs.

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

Mr. Kayton moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

REPORT OF THE COMMITTEE IN REGARD TO CERTAIN OIL AND GAS LEASES.

Mr. Graves, chairman, submitted the following report of the committee, in regard to investigating certain oil and gas leases, which, on motion of Mr. Graves, was ordered printed in the Journal:

Committee Room,
Austin, Texas, May 10, 1931.

Report of the investigating committee appointed by the House of Representatives of the Forty-first Legislature to investigate the validity of the University oil and gas leases, the Board of Regents of the University of Texas, and the administration thereof, such investigation being conducted with the assistance of the State Auditor.

To the Members of the Forty-second Legislature:

We, your committee appointed for the purpose of investigating the University oil and gas leases, Board of Regents of the University, and the administration thereof, having completed our mission, respectfully submit this, our report.

The committee, by virtue of having to attend to our private business during the months that the investigation was carried on, were unable to give as close attention to the matters under investigation as we would have liked to have done, but we were assisted, very ably, by Mr. Moore Lynn, the State Auditor, who was actively in charge of the work. The committee met at different times and consulted and advised with the Auditor as to the general policy of the investigation.

The committee attempted, in every instance, to expend the State's money economically and closed no contracts for any services until a diligent effort had been made to secure the most efficient employees and, above all, to secure persons whose integrity was unquestionable.

The committee wishes to extend thanks to their employees for their diligent and efficient services.

The committee also desires to thank the Board of Regents of the University of Texas, and other officials of said institution, for their hearty cooperation in assisting the committee and its employees in carrying out the work of the investigation.

The entire expense of the investigation consisted of the following items:

Members—

Actual expenses only....\$ 1,013.58

Employees—

Salaries, auditors, stenographers and clerks.. 16,165.68

Expenses—

Traveling expenses for auditors, etc. 2,626.19
Court reporters 315.17

Contingent Expenses—

Telephone, telegraph, printing, supplies, rent on machines, etc. 1,107.42
Witness and sheriff fees. 294.84

Total\$21,522.88

The extent of the investigation covers the following subjects:

1. University available fund.
2. Grazing leases.
3. Oil and gas leases.
4. Casinghead gas.
5. Remarks.

(1)

University Available Fund.

The State Auditor, under the supervision of the committee, made an audit analysis of the income and the expenditures of the University available fund.

Prior to the appropriation bill, passed by the Forty-first Legislature, the Board of Regents had no authority to expend any money from this fund, excepting for building and permanent improvements on the campus of the University; however, the audit shows that a great deal of money was spent, classified as oil field expenditures. Such items as automobile expense, audit fees, legal fees and the maintenance of the gaugers in the oil fields, were paid out of this fund. Under the strict construction of Article 2592 and Article 2593a, of the Revised Civil Statutes of 1925, the money expended for the above-mentioned items was unauthorized, but, as was explained to the committee by officials of the University and members of the Board of Regents, most of the items were justified as emergency expenditures, excepting the legal fees.

When the University oil fields were developed, the University was without means to protect the royalties that were fast accumulating and, as was stated before the committee, the Regents felt they should do something to protect the royalties due the University by gauging the oil and auditing the runs of the various lease holders.

In 1924 the Regents of the University entered into a contract with the auditing firm of Ernst & Ernst whereby this auditing firm co-operated with the University gaugers that worked in the fields and a very close check since that time has been kept on all runs made from the University leases.

During the investigation some unfavorable publicity was given the auditing firm of Ernst & Ernst. This publicity was due to a mistake made by an employee of the committee. The committee found all charges made by the employee against the firm of Ernst & Ernst unfounded and untrue, and it regrets the unfavorable publicity given Ernst & Ernst.

The committee feels that the money expended for attorney fees should not be continued by the Board of Regents, and that it is not good public policy

for any State agency to retain private attorneys when, under the Constitution and laws of this State, it is made the duty of the Attorney General to be their legal advisor.

The committee feels that such expenditures for the retaining of private attorneys are unwarranted and should not be continued to be practiced in the future.

(2)

Grazing Leases.

Reports were brought to the committee that the administration of the grazing lands was being handled in an inefficient manner, and that the University was not receiving a fair amount for the rental of such lands.

The committee called several witnesses and made a thorough investigation of this matter. The committee has found that the grazing leases were not handled in the most efficient manner, which was due to the lack of money allowed the University for such purposes, and mainly because the parties in charge of the grazing leases did not give their full time to such matter, and that they did not reside where the grazing leases are located, and therefore, could not determine their value, as well as a person who devoted all his time to the matter, and was in close touch with the affairs of the leases at all time.

However, this condition has been corrected in the last two years, and the committee finds that the leasing of the grazing lands is now being administered in a very efficient manner, and that the interests of the University are being taken care of.

The committee compliments the Regents of the University upon the selection of E. J. Compton, who is now in charge of the grazing leases. The committee has no suggestions to make in the administration of the grazing lands.

(3)

Oil and Gas Leases.

In compliance with the resolution, under which we have acted, charges were made questioning the validity of certain oil and gas leases on University lands, now owned by Group No. 1 Oil Corporation, and Big Lake Oil Company. Prior to the appointment of this committee there had been much discussion of the leases in newspapers, and in official and private circles. Charges had been made that

the leases were void, and in September, 1926, the Attorney General, acting in co-operation with the Board of Regents, filed a suit in the district court of Travis county, Texas, to cancel these leases. In that suit the State recovered judgment for one million dollars in cash and one-eighth interest in the net profits of the Reagan County Purchasing Company, Inc. After the rendition of the judgment in the case mentioned, charges were made, and widely circulated that there were frauds and irregularities in the suit, and that the judgment was either void or voidable.

In order that there might be a full investigation in respect to these leases and in respect to this suit, and related matters, this committee was appointed.

The committee began the investigation in June, 1930, and has made a careful investigation of the records of the General Land Office, and has heard the testimony of a large number of witnesses.

The committee has investigated the titles of a great many of the leases on University lands, with special attention being paid to the leases in Big Lake field.

The committee has searched the records of the General Land Office and has caused abstracts to be made of these leases. It has found that there exist a number of irregularities, antedating the issuance of the leases, but the committee has found nothing that, in its opinion, would render advisable a suit to cancel the leases, or to disturb the judgment.

The committee can safely say that the interests of the University have not been prejudiced or harmed in any way by such irregularities as were found, and if not from a legal standpoint, as a matter of public policy, the State should not disturb titles, unless their rights have been prejudiced by irregularities or fraud.

In view of the charges that have been made concerning the validity of the judgment in cause No. 42752, State of Texas vs. Reagan County Purchasing Company, Inc., et al., the committee has made a careful investigation of the circumstances relating to the handling of that suit and the entry of said judgment, having called before its several attorneys in the cause, including the, then, Attorney General, Claude Pollard, and Mr. Saner and Mr. Jacks, who represented the State in the suit, and Judge

George Calhoun, before whom the case was tried.

After investigating said matters the committee has reached the conclusion that there was no fraud or other illegality in the procurement or entry of said judgment and that the rights of the State were not prejudiced by its rendition.

The judgment contains a provision to the effect that the two producing companies should pay to the State, in monthly installments, a sum of money equal to one-eighth of the net profits of the Reagan County Purchasing Company, Inc., as shown by the monthly statements of such net profits to be furnished by such Reagan County Purchasing Company, Inc., with the right on the part of the State or either producing company to object to the correctness of such statements in any particular.

The committee finds that shortly after the rendition of the judgment, a controversy arose between the two producing companies and the University authorities in respect to the meaning of the expression "net profits" as used in the judgment and particularly as to whether the two producing companies were entitled to make certain deductions objected to by the University authorities. One of these deductions was Federal income taxes, paid by the Reagan County Purchasing Company, Inc., the companies contending that income taxes were properly deductible in arriving at the net profits of the Reagan County Purchasing Company, Inc., and the University authorities contending the contrary.

The committee has submitted the question of the propriety of these deductions to the Attorney General and has received his opinion to the effect that one of the deductions, to-wit, the Federal income taxes, was improper. The request, by the committee, addressed to the Attorney General, asking for an opinion as to the propriety of said deductions, and the answering opinion by the Attorney General, are attached hereto.

The amount deducted to date, by these two companies on account of this item, aggregates \$43,540.96. If the judgment be construed so as to eliminate this income tax item in the future in calculating the net profits of the Reagan County Purchasing Company, Inc., then the monthly pay-

ments due to the University will be increased by a sum of money running around \$2000 per month.

The committee recommends the two producing companies be called upon to immediately pay the \$43,540.96 pursuant to the opinion of the Attorney General, and to eliminate the deduction of Federal income taxes in the future in accounting to the University under the net profits clause of the judgment.

The committee further recommends that if the producing companies will not agree to the correctness of the opinion of the Attorney General, then that the Attorney General be instructed, as is provided in said judgment, to file a suit to obtain the construction of the judgment with the view of eliminating said income tax deduction.

The University of Texas has received, under this judgment, the original payment of \$1,000,000; it has also received on account of its interest in the net profits of the Reagan County Purchasing Company, Inc., up to date, \$363,523.30. If the companies pay the additional item above mentioned amounting to \$43,540.96, the total amount paid under the judgment will be \$1,407,064.26.

There was involved in the case of the State of Texas vs. Reagan County Purchasing Company, Inc., et al., the validity of a purchasing contract made by the two producing companies with the Reagan County Purchasing Company, Inc., the latter part of 1924. The court found said contract was a valid contract and an advantageous one to the State.

The committee has made a careful investigation into the operation of this contract and finds that it has been, and is now, and probably will continue to be, of great advantage to the two producing companies and, consequently, to the State.

The committee has found, however, that in some instances the purchasing companies have not, in the view of the committee, properly construed the contract in fixing the price, and the committee believes that on account of such improper construction the purchasing companies are due the producing companies and the State substantial sums of money. The controversy concerning the construction of the price clause of the contract was pending at the time of the entry of the judgment before mentioned in State of Texas vs. Reagan County

Purchasing Company, Inc., et al., and it was provided in that judgment that in the event of litigation concerning the construction of the contract the State of Texas would join the two producing companies having an interest in common with them in an effort to obtain a proper and advantageous construction of the price clause of the contract. The question as to the construction of this clause as applied to the actual market conditions with which the contract deals, is a complicated one. The two producing companies have already collected a great deal of evidence and have made an extensive investigation in preparation for a suit and have placed all of this evidence in the hands of the Attorney General, and have offered to join the State in whatever demands or litigation may be necessary to obtain a proper construction of this price clause, and the committee recommends that the Attorney General be instructed to confer with the attorneys of the producing companies and, if he finds that the contract has not been properly construed and that any sums of money are due, that he join the producing companies in filing such a suit as he finds to be proper.

(4)

Casinghead Gas.

The committee had estimates made by parties familiar with the question of the amount of casinghead gas the various leaseholders operating on University lands had wasted or blown into the air and, as nearly as possible, computed the value thereof. The value of this gas, according to the computations, amounts to \$105,895.22. Some of the leaseholders, we are informed, are willing to pay for the amount of gas wasted, but maintain that our calculations are not correct.

The committee recommends that the Attorney General call upon the University auditors to assist him in working out adjustments with the various leaseholders of the value of the casinghead gas wasted. If the Attorney General is unable to agree with the lessees as to the value thereof, the committee recommends that the Attorney General file suits against said parties for the recovery of the value of the casinghead gas wasted.

(5)

Remarks.

The committee recommends that one copy of the testimony produced

in the investigation, together with one copy of the reports of the auditors, all of which are herewith submitted to the Legislature, and the same made a part hereof, be filed with the Secretary of State.

The committee further recommends that this report of the committee only be printed in the Journal and that all other proceedings and reports of the committee be not printed.

Dated at Austin, Texas, this the 6th day of May, 1931.

Respectfully submitted,

GRAVES,
STEVENSON,
HOLDER,
LONG,
PETSCH.

Offices of the Attorney General.

Austin, Texas, May 7, 1931.

Hon. H. N. Graves, Chairman, Oil Lands and Leases Investigating Committee, House of Representatives, Austin, Texas.

Dear Sir: Your letter of May 6, addressed to the Attorney General, has been handed to me for reply. You ask two questions:

1. "In arriving at the net income of the Reagan County Purchasing Company, Inc., is the item of depreciation of property of the company properly deductible as expense?"

2. "Is the item of income tax paid by the Reagan County Purchasing Company, Inc., deductible as an expense in arriving at the amount of net income of the company as against the State?"

In arriving at the net profits of a corporation, depreciation of its property is properly deductible.

Thompson on Corporations (3d), Vol. 3, page 169.

Words & Phrases (2d), Vol 3, page 592.

14 C. J. 804.

Stein vs. Strathmore. 108 N. E. 1029.

Michigan Public Utilities Commission vs. Michigan State Telephone Co., 200 N. W. 749.

N. C. & S. L. Ry. Co. vs. U. S., 269 Federal, 351.

I can find no legal reason why this rule of accounting would not apply against the State. I, therefore, an-

swer your first question in the affirmative.

As a general accounting proposition between individuals or private companies, taxes of all kinds, including income taxes, are deductible; but, as against the State, since the income of the State is not taxable, the State's interest of one-eighth should be paid before income tax is paid. To pay income tax before the distribution to the State, has the effect of charging the State an income tax.

The same principle which denies to a State the power to raise revenue by taxation of federal property or sources of revenue, forbids taxation of State revenue for Federal purposes; consequently, the United States has no power under the Constitution to tax either the instrumentalities or the property of a State.

Holmes' Federal Taxes, pp. 597-8.
Pollock vs. Farmers Loan & Trust Co., 157 U. S. 429-584.

Gillespie vs. Oklahoma, 257 U. S. 506.

I therefore answer your second question in the negative and say that the producing companies should pay the State an amount equal to one-eighth of the total income tax heretofore paid by Reagan County Purchasing Company and as to all future payments the item of income tax should not be charged against the State.

Yours truly,
GEO. T. WILSON,
Assistant Attorney General.

NOTICE GIVEN.

Mr. Hubbard gave notice that he would, on tomorrow, move to take up for consideration at that time, House bill No. 15, which bill had heretofore been laid on the table subject to call.

AUTHORIZING CERTAIN CORRECTIONS IN HOUSE BILL NO. 905.

Mr. Burns of McCulloch offered the following resolution:

H. C. R. No. 64, Authorizing certain corrections in House bill No. 905.

Whereas, House bill No. 905 was passed with amendments by the Senate; and

Whereas, The caption was not amended to conform to the changes in the body of the bill; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Enrolling Clerk of the House be authorized to amend the caption to conform to the body of the bill.

The resolution was read second time, and was adopted.

SENATE BILL NO. 136 ON SECOND READING.

Mr. Laird called up for consideration at this time

S. B. No. 136, A bill to be entitled "An Act amending Subdivision 2 of Article 199, Title 8, Revised Civil Statutes of Texas of 1925, and providing for changing and prescribing terms and times of holding the courts in the Second Judicial District of Texas; validating and continuing all processes and writs, bonds and recognizances and making them returnable to the terms of court in the several counties in said district as herein fixed; to validate the summoning of grand and petit jurors under the present law so as to render them available under the present act; to repeal all laws and parts of laws in conflict herewith; providing for and declaring an emergency, and providing time for this act to take effect."

The bill having heretofore been laid on the table subject to call, and due notice having been given that same would be called up today.

The Speaker laid the bill before the House, and it was read second time.

Mr. Laird offered the following amendments to the bill:

(1)

Amend Senate bill No. 136 by striking out Section 1 and by substituting in lieu thereof the following:

"Section 1. That subdivision 2 of Article 199, Title 8, of the Revised Civil Statutes of 1925, as amended by Chapter 128, Acts of the Regular Session of the Fortieth Legislature, be, and the same is, hereby amended so as to hereafter read as follows:

"Subdivision 2. Angelina, Cherokee and Nacogdoches.

"Cherokee County.—On the first (1st) Monday in January, and may continue eight (8) weeks; and on the twenty-fourth (24th) Monday after the first Monday in January, and may continue eight (8) weeks.

"Nacogdoches County. — On the eighth (8th) Monday after the first

Monday in January, and may continue eight (8) weeks, and on the thirty-sixth (36th) Monday after the first Monday in January, and may continue eight (8) weeks.

"Angelina County. — On the sixteenth (16th) Monday after the first Monday in January, and may continue eight (8) weeks, and on the forty-fourth (44th) Monday after the first Monday in January, and may continue eight (8) weeks."

(2)

Amend Senate bill No. 136 by striking out the words and figures "April 6, 1931," in the emergency clause and substituting the following: "shall take effect at the end of the term of court which begins in Cherokee county on the twenty-sixth Monday after the first Monday in January, 1931."

The amendments were severally adopted.

Senate bill No. 136 was then passed to third reading.

SENATE BILL NO. 136 ON THIRD READING.

Mr. Laird moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate bill No. 136 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106.

Adams of Jasper.	Davis.
Adamson.	DeWolfe.
Adkins.	Dodd.
Akin.	Donnell.
Albritton.	Dowell.
Alsup.	Dunlap.
Baker.	Elliott.
Barron.	Farmer.
Beck.	Farrar.
Bedford.	Fisher.
Boyd.	Forbes.
Brice.	Gilbert.
Brooks.	Giles.
Bryant.	Goodman.
Burns of Walker.	Graves.
Burns	Greathouse.
of McCulloch.	Grogan.
Carpenter.	Hanson.
Caven.	Hardy.
Claunch.	Harman.
Coltrin.	Hatchitt.
Coombes.	Hill.
Cox of Lamar.	Hines.
Cox of Limestone.	Holder.
Daniel.	Holland.

Holloway.	Munson.
Hoskins.	Murphy.
Hughes.	Olsen.
Jackson.	O'Quinn.
Johnson	Petsch.
of Dallam.	Ratliff.
Johnson	Rogers.
of Dimmit.	Rountree.
Johnson of Morris.	Sanders.
Jones of Shelby.	Satterwhite.
Justiss.	Savage.
Kayton.	Scott.
Keller.	Sherrill.
Kennedy.	Sparkman.
Laird.	Stephens.
Lasseter.	Steward.
Lee.	Strong.
Lemens.	Terrell
Lilley.	of Val Verde.
Lockhart.	Towery.
Long.	Turner.
McCombs.	Vaughan.
McDougald.	Veatch.
McGill.	Wagstaff.
McGregor.	Walker.
Magee.	Warwick.
Mathis.	Weinert.
Moffett.	West of Coryell.
Moore.	Wyatt.
Morse.	Young.

Absent.

Adams of Harris.	Leonard.
Anderson.	Martin.
Bond.	Mehl.
Bounds.	Metcalf.
Bradley.	Nicholson.
Cunningham.	Patterson.
Dale.	Pope.
Duvall.	Ramsey.
Dwyer.	Ray.
Ferguson.	Reader.
Finn.	Richardson.
Ford.	Shelton.
Fuchs.	Smith of Bastrop.
Harrison	Smith of Wood.
of El Paso.	Stevenson.
Harrison	Sullivant.
of Waller.	Tarwater.
Hefley.	Van Zandt.
Herzik.	West of Cameron.
Howsley.	Westbrook.
Hubbard.	Wiggs.
Jones of Atascosa.	

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

The Speaker then laid Senate bill No. 136 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—110.

Adams of Jasper.	Jackson.
Adamson.	Johnson
Adkins.	of Dallam.
Akin.	Johnson
Albritton.	of Dimmit.
Alsup.	Johnson of Morris.
Baker.	Jones of Shelby.
Barron.	Justiss.
Bedford.	Kayton.
Bounds.	Kennedy.
Boyd.	Laird.
Brice.	Lasseter.
Brooks.	Lee.
Bryant.	Lemens.
Burns of Walker.	Leonard.
Burns	Lilley.
of McCulloch.	Lockhart.
Carpenter.	McCombs.
Caven.	McDougald.
Claunch.	McGill.
Coltrin.	McGregor.
Coombes.	Magee.
Cox of Lamar.	Mathis.
Cox of Limestone.	Moffett.
Daniel.	Moore.
Davis.	Morse.
DeWolfe.	Munson.
Dodd.	Murphy.
Donnell.	Olsen.
Dowell.	O'Quinn.
Duvall.	Petsch.
Elliott.	Pope.
Farmer.	Ratliff.
Farrar.	Rogers.
Fisher.	Rountree.
Forbes.	Satterwhite.
Ford.	Savage.
Fuchs.	Sherrill.
Gilbert.	Sparkman.
Giles.	Stephens.
Goodman.	Steward.
Graves.	Strong.
Greathouse.	Tarwater.
Grogan.	Terrell
Hanson.	of Val Verde.
Harman.	Towery.
Harrison	Turner.
of El Paso.	Vaughan.
Hatchitt.	Veatch.
Hill.	Wagstaff.
Hines.	Walker.
Holder.	Warwick.
Holland.	Weinert.
Holloway.	West of Coryell.
Hoskins.	West of Cameron.
Howsley.	Wyatt.
Hubbard.	Young.
Hughes.	

Absent.

Adams of Harris.	Cunningham.
Anderson.	Dale.
Beck.	Dunlap.
Bond.	Dwyer.
Bradley.	Ferguson.

Finn.	Ramsey.
Hardy.	Ray.
Harrison	Reader.
of Waller.	Richardson.
Hefley.	Sanders.
Herzik.	Scott.
Jones of Atascosa.	Shelton.
Keller.	Smith of Bastrop.
Long.	Smith of Wood.
Martin.	Stevenson.
Mehl.	Sullivant.
Metcalfe.	Van Zandt.
Nicholson.	Westbrook.
Patterson.	Wiggs.

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

MOTION FOR SPECIAL ORDER.

Mr. DeWolfe moved that House bill No. 911 be set as a special order for 9:30 o'clock a. m. next Monday. The motion was lost.

EXTENDING SYMPATHY TO HON. GEORGE B. TERRELL.

Mr. Adamson offered the following resolution:

Whereas, This House has learned with regrets of the serious illness at his home in this city of our distinguished member and indefatigable worker, the Hon. George B. Terrell; and

Whereas, He is greatly missed by the members of this House; now, therefore, be it

Resolved, That this House extend to the said George B. Terrell its sincerest sympathy in his illness and prays for his speedy recovery; and be it further

Resolved, That the Chief Clerk of this House purchase a suitable bouquet of flowers and send to him to cheer him in his illness, said bouquet to be paid for out of the contingent fund of the House.

Signed—Adamson, Carpenter, Murphy, Boyd, Fisher, Albritton, Towery, Sanders, Speaker Minor, Adams of Harris, Adams of Jasper, Adkins, Akin, Alsup, Anderson, Baker, Barron, Beck, Bedford, Bond, Bounds, Bradley, Brice, Brooks, Bryant, Burns of Walker, Burns of McCulloch, Caven, Claunch, Coltrin, Coombes, Cox of Lamar, Cox of Limestone, Cunningham, Dale, Daniel, Davis, DeWolfe, Dodd, Donnell, Dowell, Duvall, Dwyer, Elliott, Engelhard, Farmer, Farrar, Ferguson, Finn, Forbes, Ford,

Fuchs, Gilbert, Giles, Goodman, Graves, Greathouse, Grogan, Hanson, Hardy, Harman, Harrison of El Paso, Harrison of Waller, Hatchitt, Hefley, Herzik, Hill, Hines, Holder, Holland, Holloway, Hoskins, Howsley, Hubbard, Hughes, Jackson, Johnson of Dallam, Johnson of Dimmit, Johnson of Morris, Jones of Atascosa, Jones of Shelby, Justiss, Kayton, Keller, Kennedy, Laird, Lasseter, Lee, Lemens, Leonard, Lilley, Lockhart, Long, McCombs, McDougald, Magee, McGill, McGregor, Martin, Mathis, Mehl, Metcalfe, Moffett, Moore, Morse, Munson, Nicholson, Olsen, O'Quinn, Patterson, Petsch, Pope, Ramsey, Ratliff, Ray, Reader, Richardson, Rogers, Rountree, Satterwhite, Savage, Scott, Shelton, Sherrill, Smith of Bastrop, Smith of Wood, Sparkman, Stephens, Stevenson, Steward, Strong, Sullivant, Tarwater, Turner, Van Zandt, Vaughan, Veatch, Wagstaff, Walker, Warwick, Weinert, West of Cameron, West of Coryell, Westbrook, Wiggs, Wyatt, Young.

The resolution was read second time.

On motion of Mr. Adamson, the names of all the members of the House were added to the resolution as signers thereof.

Question recurring on the resolution, it was adopted.

BILLS AND RESOLUTION SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolution:

S. B. No. 612, "An Act providing for the granting of certain easements to the United States government in a portion of the present and former bed of Sabine Lake in and adjacent to the Port Arthur Canal and the Sabine-Neches Canal; providing the means and manner thereof; providing exceptions and the purposes thereof, and declaring an emergency."

S. B. No. 586, "An Act (1) to amend Section 14 of Chapter — of the Acts of the Forty-first Legislature of Texas, Regular Session, and clarifying the intent of said section 14 as the same would relate to Section 132 of Chapter 25 of the Acts of the Thirty-ninth Legislature, Regular Session, and declaring an emergency."

S. B. No. 528, "An Act amending

Article 827 of the Penal Code of the State of Texas, Revised Criminal Statutes of 1925, so as to require street railways and motor busses in cities of not less than 40,000 inhabitants to carry all school children for one-half fare regularly collected for the transportation of adults, and declaring an emergency."

S. B. No. 617, "An Act to amend Chapter 13 of Title 28 of the Revised Civil Statutes of Texas, by adding thereto an article to be Article 1180a, making certain and establishing the right of cities operating under the provisions of said Chapter 13, which may have a population exceeding 150,000 people according to the last or any succeeding Federal census, to provide improvements and works to control any harmful excess of water, etc., and declaring an emergency."

S. B. No. 614, "An Act making an appropriation out of the general revenue of the State of Texas, not otherwise appropriated, as an emergency to continue the work of tuberculin tests of cattle, etc., and declaring an emergency."

S. B. No. 515, "An Act legalizing the annexation of territory embracing a fresh water supply district heretofore established to any city having a population of 150,000 or more, declaring the indebtedness of any such fresh water supply district so annexed to be the legal indebtedness of the city to which same was annexed, and declaring an emergency."

S. B. No. 407, "An Act to amend Section 9, Chapter 14, Acts Forty-first Legislature, Third Called Session, so as to provide for aid to consolidated districts formed subsequent to January 1, 1917, and prior to September 1, 1929, under certain conditions and regulations, and declaring an emergency."

S. C. R. No. 49, Recalling Senate bill No. 72 for corrections.

BILL ORDERED NOT PRINTED.

On motion of Mr. Satterwhite, House bill No. 1055 was ordered not printed.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today (on motion of Mr. Johnson of Dimmit by two-thirds votes), were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Johnson of Dimmit:

H. B. No. 1058, A bill to be entitled "An Act to authorize the commissioners court in each county having a population of not less than 13,975 and not more than 14,050, as shown by the preceding United States census, to allow all county and precinct officers expenses incurred by them for official telephone, official telephone calls, official telegrams, and official postage stamps and cards, to be paid out of the general fund of the county, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Johnson of Dimmit:

H. B. No. 1059, A bill to be entitled "An Act to authorize the commissioners court in each county having a population of not less than 13,975 and not more than 14,050 as shown by the preceding United States census, to pay the sheriff of such county for summoning jurors in district or county courts, serving all legal notices and doing all other public business for which compensation is not provided for, not exceeding \$2500 per annum, to be fixed by the commissioners court and to be paid out of the general fund of the county, and further authorizing the commissioners court in such counties, upon written sworn application of the sheriff, stating the necessity therefor, to purchase an automobile for the use of the sheriff and pay for same together with the expense of the maintenance and operation of same out of the county general fund, and declaring an emergency."

Referred to the Committee on Counties.

NOTICE GIVEN.

Mr. Pope gave notice that he would, on tomorrow, move to take up for consideration at that time, House bill No. 91, which bill had heretofore been laid on the table subject to call.

CONFERENCE COMMITTEE ON SENATE BILL NO. 259.

The Speaker announced the appointment of the following conference committee on Senate bill No. 259:

Messrs. Sanders, Murphy, Hubbard, Metcalfe and Lemens.

CONFERENCE COMMITTEE ON HOUSE BILL NO. 508.

The Speaker announced the ap-

point of the following free conference committee on House bill No. 508:

Messrs. Sanders, Kayton, Finn, Ford and Holder.

RECESS.

On motion of Mr. Johnson of Dimmit, the House, at 6:20 p. m., took recess to 8 o'clock p. m. today.

NIGHT SESSION.

The House met at 8 o'clock p. m., and was called to order by the Speaker.

HOUSE BILL NO. 520 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 520, A bill to be entitled "An Act providing for the making of daily reports of the use of State-owned automobiles and trucks; prescribing rules and regulations and defining certain offenses, and declaring an emergency."

The bill was read third time, and was passed.

HOUSE BILL NO. 519 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 519, A bill to be entitled "An Act to amend Article 821 of the Penal Code of the State of Texas of 1925, and declaring an emergency."

The bill was read third time, and was passed.

HOUSE BILL NO. 493 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 493, A bill to be entitled "An Act to amend Articles 4371, 4372, 4380, 4381, 4382, 4385, 4390, 4391, 4392 and 4393, and also Article 4388, as amended by Chapter 73, page 230, of the General Laws of the Fifth Called Session of the Forty-first Legislature, and to repeal Article 4387, all of said articles being from Chapter 3 of Title 70, Revised Civil Statutes of 1925, relating to the Department of State Treasurer, and declaring an emergency."

The bill was read third time, and was passed.

HOUSE BILL NO. 495 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, H. B. No. 495, A bill to be entitled "An Act to amend Articles 4350, 4353, 4354, 4355, 4357, 4358, 4359, 4363 and 4364, Chapter 2, of Title 70, Revised Civil Statutes of 1925, relating to system and methods of the Department of the Comptroller of Public Accounts, and declaring an emergency."

The bill was read third time, and was passed.

HOUSE BILL NO. 518 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 518, A bill to be entitled "An Act to amend Article 6823 of the Revised Civil Statutes of Texas, 1925, and declaring an emergency."

The bill was read third time, and was passed.

HOUSE BILL NO. 588 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 588, A bill to be entitled "An Act to provide for the investment of the permanent funds of the Texas School for the Blind, Texas School for the Deaf, Austin State Hospital, State Orphans' Home and other permanent funds the investment of which is not otherwise provided for, and declaring an emergency."

The bill was read third time, and was passed.

HOUSE BILL NO. 575 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 575, A bill to be entitled "An Act to require the officials of all counties, cities and towns, school districts and all other local units of government within the State, where taxes are levied and collected, to make such reports as may be required by the county auditor, if there be a county auditor, and if not then to the county clerk, showing the amount of taxes collected, the amount of taxes delinquent, the amount of money on hand to the credit of sinking funds to retire bonded indebtedness, and the amount of outstanding bonded indebt-

edness, etc., and declaring an emergency."

The bill was read third time, and was passed.

HOUSE BILL NO. 349 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 349, A bill to be entitled "An Act fixing the salary of the county superintendent of public instruction in a certain class of counties classified according to population, said salary to be paid in the same manner and out of the same funds as provided for county superintendent under the laws of this State, and declaring an emergency."

The bill was read third time, and was passed.

HOUSE BILL NO. 904 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 904, A bill to be entitled "An Act amending Article 2688, Revised Statutes of Texas of 1925, and declaring an emergency."

The bill was read third time, and was passed.

HOUSE BILL NO. 1039 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 1039, A bill to be entitled "An Act to amend House bill No. 94 as passed by the Forty-second Legislature, fixing the salary of the county superintendent of public instruction and the county board of school trustees in each county in Texas having a population of not less than 18,425 nor more than 18,435, according to the last preceding Federal census, and declaring an emergency."

The bill was read third time, and was passed.

HOUSE BILL NO. 1046 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 1046, A bill to be entitled "An Act providing for the employment of rural school supervisors in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisors; prescribing salaries to be paid such supervisors; provid-

ing other things incidental to the purpose of this act, and declaring an emergency."

The bill was read third time, and was passed.

HOUSE BILL NO. 1050 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 1050, A bill to be entitled "An Act applying to Johnson county, Texas, making it unlawful to seine, catch, or possess minnows for sale or commercial purposes, and making possession of two hundred minnows prima facie evidence of guilt; making it unlawful to catch any fish between March 1 and May 1; making it unlawful to possess any catfish nine inches or less in length, and requiring catfish under said length to be liberated; prescribing penalties, and declaring an emergency."

The bill was read third time.

Mr. Farrar offered the following amendment to the bill:

Amend House bill No. 1050 by striking out "Ellis county" and amend the caption accordingly.

The amendment was adopted.

By unanimous consent of the House the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House bill No. 1050 was then passed.

HOUSE BILL NO. 230 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 230, A bill to be entitled "An Act providing that all the provisions of the laws of this State applicable to the life, fire, marine, inland, lightning, tornado or casualty insurance companies shall, so far as the same are applicable, govern and apply to all companies transacting any other kind of insurance business in this State so far as they are not in conflict with the provisions of law made specially applicable thereto, and declaring an emergency."

The bill was read third time, and was passed.

HOUSE BILL NO. 763 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 763, A bill to be entitled

"An Act to provide that no person transported by the owner or operator of a motor vehicle over the highways of this State as the guest of such owner or operator, and without pay, shall have a cause of action for injury or death in case of accident unless such accident shall have been intentional, or heedless, or reckless; providing exceptions, and declaring an emergency."

The bill was read third time, and was passed.

Mr. DeWolfe moved a call of the House for the purpose of maintaining a quorum until 10 o'clock p. m. today, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. DeWolfe, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill.

HOUSE BILL NO. 860 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 860, A bill to be entitled "An Act repealing Chapter 23, Acts of Second Called Session, Forty-first Legislature, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 1051 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1051, A bill to be entitled "An Act validating the formation of consolidated school districts in certain counties in this State, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 1054 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1054, A bill to be entitled "An Act to amend Chapter 18, Title

49, by adding a new article, to be known as Article 2892a, providing for the compulsory school attendance for the school term of children between the ages of seven and fifteen, inclusive, in counties of a population of not less than 325,000 and not more than 326,000 population, according to the preceding Federal census."

The bill was read second time.

Mrs. Hughes offered the following (committee) amendments to the bill:

(1)

Amend House bill No. 1054, the caption, by inserting between the figures "49" and the word "by" the following: "Civil Statutes of Texas, 1925."

(2)

Amend House bill No. 1054, Section 1, by inserting a paragraph after the words "Section 1" the following:

"That Chapter 18, Title 49, of the Civil Statutes of Texas, 1925, be amended by adding a new article to be known as Article 2892a."

The amendments were severally adopted.

House bill No. 1054 was then passed to engrossment.

SENATE BILL NO. 157 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 157, A bill to be entitled "An Act to fix the salary of the superintendent of public instruction in each county in Texas having a certain population, etc., and declaring an emergency."

The bill was read third time, and was passed.

SENATE BILL NO. 510 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 510, A bill to be entitled "An Act repealing Chapter 110, Acts of the Regular Session of the Thirtieth Legislature, and declaring an emergency."

The bill was read third time, and was passed.

SENATE BILL NO. 532 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 532, A bill to be entitled "An Act to fix the maximum rate of tax to be levied for school purposes in all independent school districts which include within their limits a city which had more than 40,000 population and fewer than 100,000 population, according to the Federal census of 1930, whether under general or special law; repealing all laws in conflict herewith, both general and special; and providing further that this act shall not affect any such independent school district which at this time may have a larger authorized rate of taxation, and declaring an emergency."

The bill was read third time, and was passed.

SENATE BILL NO. 512 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 512, A bill to be entitled "An Act amending Article 199, Title 8, page 11, Revised Civil Statutes of the State of Texas, passed at the Regular Session of the Forty-first Legislature, 1929, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 619 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 619, A bill to be entitled "An Act to amend House bill No. 59, Acts of the Regular Session of the Forty-second Legislature, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 568 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 568, A bill to be entitled "An Act fixing the maximum amount of fees which all officers can receive under the provisions of the maximum fee bill in counties having a prescribed population, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 603 ON THIRD
READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 603, A bill to be entitled "An Act to amend Chapter 78 of the Local and Special Laws enacted by the Thirty-sixth Legislature at its Regular Session in 1919, same being a special road law for Erath county, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—100.

Mr. Speaker.	Howsley.
Adamson.	Hubbard.
Adkins.	Hughes.
Akin.	Johnson
Alsup.	of Dimmit.
Baker.	Johnson of Morris.
Barron.	Jones of Shelby.
Bedford.	Justiss.
Bond.	Keller.
Bounds.	Kennedy.
Boyd.	Laird.
Brice.	Lasseter.
Brooks.	Lee.
Bryant.	Lemens.
Burns of Walker.	Leonard.
Carpenter.	Lilley.
Claunch.	Lockhart.
Coltrin.	Long.
Coombes.	McDougald.
Cox of Lamar.	McGill.
Cox of Limestone.	McGregor.
Cunningham.	Magee.
Daniel.	Mathis.
Davis.	Moffett.
DeWolfe.	Munson.
Dodd.	Olsen.
Donnell.	O'Quinn.
Dunlap.	Petsch.
Elliott.	Pope.
Farrar.	Ratliff.
Ferguson.	Ray.
Finn.	Richardson.
Fisher.	Rogers.
Forbes.	Rountree.
Gilbert.	Satterwhite.
Giles.	Savage.
Goodman.	Scott.
Greathouse.	Sherrill.
Grogan.	Smith of Wood.
Hanson.	Sparkman.
Hardy.	Stevenson.
Harman.	Steward.
Harrison	Terrell
of El Paso.	of Val Verde.
Hatchitt.	Van Zandt.
Herzik.	Vaughan.
Hines.	Veatch.
Holland.	Walker.
Holloway.	Warwick.
Hoskins.	West of Coryell.

West of Cameron. Young.
Wiggs.

Present—Not Voting.

Farmer.

Absent.

Adams of Harris.	Kayton.
Adams of Jasper.	McCombs.
Albritton.	Martin.
Anderson.	Mehl.
Beck.	Metcalfe.
Bradley.	Moore.
Burns	Morse.
of McCulloch.	Murphy.
Caven.	Nicholson.
Dale.	Patterson.
Dowell.	Ramsey.
Duvall.	Reader.
Dwyer.	Sanders.
Ford.	Shelton.
Fuchs.	Smith of Bastrop.
Graves.	Stephens.
Harrison	Strong.
of Waller.	Sullivant.
Hefley.	Tarwater.
Hill.	Towery.
Holder.	Turner.
Jackson.	Wagstaff.
Jones of Atascosa.	Weinert.
Johnson	Westbrook.
of Dallam.	Wyatt.

Absent—Excused.

Engelhard. Terrell
of Cherokee.

SENATE BILL NO. 410 ON THIRD
READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 410, A bill to be entitled "An Act authorizing the commissioners court of Jack county, Texas, to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and to levy a tax in payment thereof, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—102.

Mr. Speaker.	Bounds.
Adams of Jasper.	Boyd.
Adamson.	Brice.
Adkins.	Brooks.
Akin.	Bryant.
Alsup.	Burns of Walker.
Baker.	Carpenter.
Barron.	Claunch.
Bedford.	Coltrin.
Bond.	Coombes.

Cox of Lamar.	Lemens.
Cox of Limestone.	Leonard.
Cunningham.	Lilley.
Daniel.	Lockhart.
Davis.	Long.
DeWolfe.	McDougald.
Dodd.	McGill.
Donnell.	McGregor.
Dunlap.	Magee.
Elliott.	Mathis.
Farrar.	Metcalf.
Ferguson.	Moffett.
Finn.	Munson.
Fisher.	Olsen.
Forbes.	O'Quinn.
Gilbert.	Petsch.
Goodman.	Pope.
Greathouse.	Ratliff.
Grogan.	Ray.
Hanson.	Richardson.
Hardy.	Rogers.
Harman.	Rountree.
Harrison	Satterwhite.
of El Paso.	Savage.
Hatchitt.	Scott.
Herzik.	Sherrill.
Hines.	Smith of Wood.
Holland.	Sparkman.
Holloway.	Stevenson.
Hoskins.	Steward.
Howsley.	Strong.
Hubbard.	Terrell
Hughes.	of Val Verde.
Johnson	Van Zandt.
of Dimmit.	Vaughan.
Johnson of Morris.	Veatch.
Jones of Shelby.	Walker.
Justiss.	Warwick.
Keller.	West of Coryell.
Kennedy.	West of Cameron.
Laird.	Wiggs.
Lasseter.	Young.
Lee.	

Present—Not Voting.

Farmer.

Absent.

Adams of Harris.	Hill.
Albritton.	Holder.
Anderson.	Jackson.
Beck.	Jones of Atascosa.
Bradley.	Johnson
Burns	of Dallam.
of McCulloch.	Kayton.
Caven.	McCombs.
Dale.	Martin.
Dowell.	Mehl.
Duvall.	Moore.
Dwyer.	Morse.
Ford.	Murphy.
Fuchs.	Nicholson.
Giles.	Patterson.
Graves.	Ramsey.
Harrison	Reader.
of Waller.	Sanders.
Hefley.	Shelton.

Smith of Bastrop.	Turner.
Stephens.	Wagstaff.
Sullivant.	Weinert.
Tarwater.	Westbrook.
Towery.	Wyatt.

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 625, to the Committee on Conservation and Reclamation.

Senate bill No. 564, to the Committee on Revenue and Taxation.

SENATE BILL NO. 506 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, S. B. No. 506, A bill to be entitled "An Act providing that constables in precincts of a certain population, in counties of a certain population, shall not be entitled to have deputies, and providing for additional deputy sheriffs in said counties; prescribing the number and compensation of said deputies and for their appointment, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—101.

Mr. Speaker.	DeWolfe.
Adams of Jasper.	Dodd.
Adamson.	Donnell.
Adkins.	Dunlap.
Akin.	Elliott.
Alsup.	Farrar.
Baker.	Ferguson.
Bedford.	Finn.
Bond.	Fisher.
Bounds.	Forbes.
Boyd.	Gilbert.
Brice.	Goodman.
Brooks.	Greathouse.
Bryant.	Grogan.
Burns of Walker.	Hanson.
Carpenter.	Hardy.
Claunch.	Harman.
Coltrin.	Harrison
Coombes.	of El Paso.
Cox of Lamar.	Hatchitt.
Cox of Limestone.	Herzik.
Cunningham.	Hines.
Daniel.	Holland.
Davis.	Holloway.

Hoskins.	Olsen.
Howsley.	O'Quinn.
Hubbard.	Petsch.
Hughes.	Pope.
Jackson.	Ratliff.
Johnson	Ray.
of Dimmit.	Richardson.
Johnson of Morris.	Rogers.
Jones of Shelby.	Rountree.
Justiss.	Satterwhite.
Keller.	Savage.
Kennedy.	Scott.
Laird.	Sherrill.
Lasseter.	Smith of Wood.
Lee.	Sparkman.
Lemens.	Steward.
Leonard.	Strong.
Lilley.	Terrell
Lockhart.	of Val Verde.
Long.	Van Zandt.
McDougald.	Vaughan.
McGill.	Veatch.
McGregor.	Walker.
Magee.	Warwick.
Mathis.	West of Coryell.
Metcalfe.	West of Cameron.
Moffett.	Wiggs.
Munson.	Young.

Present—Not Voting.

Farmer.

Absent.

Adams of Harris.	Kayton.
Albritton.	McCombs.
Anderson.	Martin.
Barron.	Mehl.
Beck.	Moore.
Bradley.	Morse.
Burns	Murphy.
of McCulloch.	Nicholson.
Caven.	Patterson.
Dale.	Ramsey.
Dowell.	Reader.
Duvall.	Sanders.
Dwyer.	Shelton.
Ford.	Smith of Bastrop.
Fuchs.	Stephens.
Giles.	Stevenson.
Graves.	Sullivant.
Harrison	Tarwater.
of Waller.	Towery.
Hefley.	Turner.
Hill.	Wagstaff.
Holder.	Weinert.
Johnson	Westbrook.
of Dallam.	Wyatt.
Jones of Atascosa.	

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

SENATE BILL NO. 582 ON SECOND READING.

On motion of Mr. Bryant, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 582, A bill to be entitled "An Act authorizing the State Treasurer to employ four extra clerks instead of three as authorized by House bill No. 398, passed at the Regular Session of the Forty-second Legislature, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time, and was passed to third reading.

SENATE BILL NO. 582 ON THIRD READING.

Mr. Bryant moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate bill No. 582 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Adams of Jasper.	Finn.
Adamson.	Fisher.
Adkins.	Forbes.
Akin.	Gilbert.
Alsup.	Giles.
Baker.	Goodman.
Barron.	Greathouse.
Bedford.	Grogan.
Bond.	Hanson.
Bounds.	Hardy.
Boyd.	Harman.
Brice.	Harrison
Brooks.	of El Paso.
Bryant.	Hatchitt.
Burns of Walker.	Herzik.
Carpenter.	Hines.
Claunch.	Holland.
Coltrin.	Holloway.
Coombes.	Hoskins.
Cox of Lamar.	Howsley.
Cox of Limestone.	Hubbard.
Cunningham.	Hughes.
Daniel.	Jackson.
Davis.	Johnson
DeWolfe.	of Dimmit.
Dodd.	Johnson of Morris.
Donnell.	Jones of Shelby.
Dowell.	Justiss.
Dunlap.	Keller.
Dwyer.	Kennedy.
Elliott.	Laird.
Farmer.	Lasseter.
Farrar.	Lee.
Ferguson.	Lemens.

Leonard.	Satterwhite.
Lilley.	Savage.
Lockhart.	Scott.
Long.	Sherrill.
McDougald.	Smith of Wood.
McGill.	Sparkman.
McGregor.	Steward.
Magee.	Strong.
Mathis.	Terrell
Metcalfe.	of Val Verde.
Munson.	Van Zandt.
Olsen.	Vaughan.
O'Quinn.	Veatch.
Petsch.	Walker.
Ratliff.	Warwick.
Ray.	West of Coryell.
Richardson.	West of Cameron.
Rogers.	Wiggs.
Rountree.	Young.

Absent.

Adams of Harris.	Mehl.
Albritton.	Moffett.
Anderson.	Moore.
Beck.	Morse.
Bradley.	Murphy.
Burns	Nicholson.
of McCulloch.	Patterson.
Caven.	Pope.
Dale.	Ramsey.
Duvall.	Reader.
Ford.	Sanders.
Fuchs.	Shelton.
Graves.	Smith of Bastrop.
Harrison	Stephens.
of Waller.	Stevenson.
Hefley.	Sullivant.
Hill.	Tarwater.
Holder.	Towery.
Johnson	Turner.
of Dallam.	Wagstaff.
Jones of Atascosa.	Weinert.
Kayton.	Westbrook.
McCombs.	Wyatt.
Martin.	

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

The Speaker then laid Senate bill No. 582 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—101.

Mr. Speaker.	Bond.
Adams of Jasper.	Bounds.
Adamson.	Boyd.
Adkins.	Brice.
Akin.	Brooks.
Alsup.	Bryant.
Baker.	Burns of Walker.
Bedford.	Carpenter.

Claunch.	Keller.
Coltrin.	Laird.
Coombes.	Lasseter.
Cox of Lamar.	Lee.
Cox of Limestone.	Lemens.
Cunningham.	Leonard.
Daniel.	Lilley.
Davis.	Lockhart.
DeWolfe.	Long.
Dodd.	McDougald.
Donnell.	McGill.
Dowell.	McGregor.
Dwyer.	Magee.
Elliott.	Mathis.
Farmer.	Metcalfe.
Farrar.	Moffett.
Ferguson.	Munson.
Finn.	Olsen.
Fisher.	O'Quinn.
Forbes.	Petsch.
Gilbert.	Pope.
Goodman.	Ratliff.
Greathouse.	Ray.
Grogan.	Richardson.
Hanson.	Rogers.
Hardy.	Rountree.
Harman.	Satterwhite.
Harrison	Savage.
of El Paso.	Scott.
Hatchitt.	Sherrill.
Herzik.	Smith of Wood.
Hines.	Sparkman.
Holland.	Stevenson.
Holloway.	Steward.
Hoskins.	Strong.
Howsley.	Van Zandt.
Hubbard.	Vaughan.
Hughes.	Veatch.
Jackson.	Walker.
Johnson	Warwick.
of Dimmit.	West of Coryell.
Johnson of Morris.	Wiggs.
Jones of Shelby.	Young.
Justiss.	

Nays—1.

Kennedy.

Absent.

Adams of Harris.	Harrison
Albritton.	of Waller.
Anderson.	Hefley.
Barron.	Hill.
Beck.	Holder.
Bradley.	Johnson
Burns	of Dallam.
of McCulloch.	Jones of Atascosa.
Caven.	Kayton.
Dale.	McCombs.
Dunlap.	Martin.
Duvall.	Mehl.
Ford.	Moore.
Fuchs.	Morse.
Giles.	Murphy.
Graves.	Nicholson.

Patterson.	Terrell
Ramsey.	of Val Verde.
Reader.	Towery.
Sanders.	Turner.
Shelton.	Wagstaff.
Smith of Bastrop.	Weinert.
Stephens.	West of Cameron.
Sullivant.	Westbrook.
Tarwater.	Wyatt.

' Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

SENATE BILL NO. 83 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 83, A bill to be entitled "An Act amending Article 4690, Chapter 1, and Article 5061, Chapter 21, Title 78, Revised Civil Statutes of 1925, by adding thereto Articles 4690a and 5061a, respectively; providing that all fees collected for the examination of insurance companies shall be paid by the company or persons examined in such a manner as the Commissioner of Insurance shall certify to be just and reasonable."

The bill was read second time.

Mr. Bedford offered the following amendment to the bill:

Amend Senate bill No. 83, page 3, Section 3, by striking out of lines Nos. 34, 35 and 36 the following: "One of whom shall be chief examiner, who shall be a certified public accountant, and such number of assistants as he may deem necessary," and insert in lieu thereof the following: "Not exceeding six in number, one of whom shall be the chief examiner who shall be an expert public accountant, and such number of assistant examiners, not exceeding four in number."

The amendment was adopted.

Mr. Bedford offered the following amendment to the bill:

Amend Senate bill No. 83, page 4, Section 3, line 24, by striking out the figures "\$7500" and insert in lieu thereof the figures "\$5000."

The amendment was adopted.

Mr. Bedford offered the following amendment to the bill:

Amend Senate bill No. 83, page 4, Section 3, line 25, by striking out the figures "\$400" per month and insert in lieu thereof the figures "\$333.33."

The amendment was adopted.

Mr. Bedford offered the following amendments to the bill:

(1)

Amend Senate bill No. 83 by striking out the words "Chairman of the" in the following places where found in said bill, to-wit:

Page 2, Section 2, line 7; page 2, Section 3, lines 33 and 35; page 3, Section 3, lines 2, 8, 13 and 20; page 3, Section 3, line 32; page 4, Section 3, lines 6, 10, 11, 16, 22 and 29.

(2)

Amend Senate bill No. 83 by striking out the words "he" or "him" where applied to the Chairman of the Board in the following places where found in said bill, and insert in lieu thereof the words "the Board," to-wit:

Page 2, Section 2, lines 8, 10, 14, 25, 26, 28 and 30; page 3, Section 3, line 36; page 4, Section 4, line 1.

(3)

Amend Senate bill No. 83 by striking out the word "his" in the herein-after designated places where found in said bill and insert in lieu thereof the word "its," to-wit:

Page 2, Section 2, line 29; page 2, Section 3, line 34; page 3, Section 3, line 14.

(4)

Amend Senate bill No. 83, page 4, Section 3, by striking out of lines Nos. 17, 18 and 19 the following:

"And the number of such examiners and assistants may be increased or decreased from time to time to suit the needs of the examining work."

(5)

Amend Senate bill No. 83 by striking out the words "Chairman of the" in the following places where found in said bill, to-wit:

Page 2, Section 2, line 7; page 2, Section 3, lines 33 and 35; page 3, Section 3, lines 2, 8, 13 and 20; page 3, Section 3, line 32; page 4, Section 3, lines 6, 10, 11, 16, 22 and 29.

The amendments were severally adopted.

Mr. Lemens offered the following amendment to the bill:

Amend Senate bill No. 83, page 3, Section 3, by striking out line 32 and inserting in lieu thereof the following:

"Section 3a. On the effective date of this act, the."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

Senate bill No. 83 was then passed to third reading.

SENATE BILL NO. 83 ON THIRD READING.

Mr. Savage moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate bill No. 83 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101.

Mr. Speaker.	Howsley.
Adams of Jasper.	Hubbard.
Adamson.	Hughes.
Adkins.	Jackson.
Alsup.	Johnson
Baker.	of Dallam.
Barron.	Johnson
Bedford.	of Dimmit.
Bond.	Johnson of Morris.
Bounds.	Jones of Shelby.
Boyd.	Justiss.
Brice.	Keller.
Brooks.	Lasseter.
Bryant.	Lee.
Carpenter.	Lemens.
Claunch.	Leonard.
Coltrin.	Lilley.
Coombes.	Lockhart.
Cox of Lamar.	Long.
Cox of Limestone.	McDougald.
Davis.	McGill.
DeWolfe.	McGregor.
Dodd.	Magee.
Donnell.	Martin.
Dowell.	Mathis.
Dunlap.	Metcalfe.
Dwyer.	Moffett.
Elliott.	Munson.
Farmer.	Murphy.
Farrar.	Olsen.
Ferguson.	Petsch.
Finn.	Pope.
Fisher.	Ratliff.
Forbes.	Ray.
Giles.	Richardson.
Goodman.	Rogers.
Greathouse.	Rountree.
Grogan.	Sanders.
Hanson.	Satterwhite.
Hardy.	Savage.
Harrison	Scott.
of El Paso.	Sherrill.
Hatchitt.	Smith of Wood.
Herzik.	Sparkman.
Hines.	Stevenson.
Holloway.	Steward.
Hoskins.	Strong.

Terrell	Walker.
of Val Verde.	Warwick.
Turner.	West of Coryell.
Van Zandt.	West of Cameron.
Vaughan.	Young.
Veatch.	

Nays—9.

Akin.	Harman.
Burns of Walker.	Kennedy.
Cunningham.	Laird.
Daniel.	Wiggs.
Gilbert.	

Absent.

Adams of Harris.	Kayton.
Albritton.	McCombs.
Anderson.	Mehl.
Beck.	Moore.
Bradley.	Morse.
Burns	Nicholson.
of McCulloch.	O'Quinn.
Caven.	Patterson.
Dale.	Ramsey.
Duvall.	Reader.
Ford.	Shelton.
Fuchs.	Smith of Bastrop.
Graves.	Stephens.
Harrison	Sullivant.
of Waller.	Tarwater.
Hefley.	Towery.
Hill.	Wagstaff.
Holder.	Weinert.
Holland.	Westbrook.
Jones of Atascosa.	Wyatt.

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

The Speaker then laid Senate bill No. 83 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—102.

Mr. Speaker.	Cox of Lamar.
Adams of Jasper.	Cox of Limestone.
Adamson.	Cunningham.
Adkins.	Davis.
Akin.	DeWolfe.
Alsup.	Dodd.
Baker.	Donnell.
Barron.	Dowell.
Bedford.	Dwyer.
Bounds.	Elliott.
Boyd.	Farmer.
Brice.	Farrar.
Brooks.	Ferguson.
Bryant.	Finn.
Burns of Walker.	Fisher.
Carpenter.	Forbes.
Claunch.	Gilbert.
Coltrin.	Giles.
Coombes.	Goodman.

Greathouse.	Martin.
Hrogan.	Mathis.
Hanson.	Moffett.
Hardy.	Munson.
Harrison	Murphy.
of El Paso.	Olsen.
Hatchitt.	Petsch.
Herzik.	Pope.
Hines.	Ratliff.
Holloway.	Ray.
Hoskins.	Richardson.
Howsley.	Rogers.
Hubbard.	Rountree.
Hughes.	Sanders.
Johnson	Satterwhite.
of Dallam.	Savage.
Johnson	Scott.
of Dimmit.	Smith of Wood.
Johnson of Morris.	Sparkman.
Jones of Shelby.	Stevenson.
Justiss.	Steward.
Keller.	Strong.
Kennedy.	Terrell
Laird.	of Val Verde.
Lasseter.	Turner.
Lee.	Van Zandt.
Lemens.	Vaughan.
Leonard.	Veatch.
Lilley.	Walker.
Lockhart.	Warwick.
Long.	West of Coryell.
McGill.	West of Cameron.
McGregor.	Wiggs.
Magee.	Young.

Nays—4.

Daniel.	McDougald.
Harman.	Sherrill.

Absent.

Adams of Harris.	Jones of Atascosa.
Albritton.	Kayton.
Anderson.	McCombs.
Beck.	Mehl.
Bond.	Metcalfe.
Bradley.	Moore.
Burns	Morse.
of McCulloch.	Nicholson.
Caven.	O'Quinn.
Dale.	Patterson.
Dunlap.	Ramsey.
Duvall.	Reader.
Ford.	Shelton.
Fuchs.	Smith of Bastrop.
Graves.	Stephens.
Harrison	Sullivant.
of Waller.	Tarwater.
Hefley.	Towery.
Hill.	Wagstaff.
Holder.	Weinert.
Holland.	Westbrook.
Jackson.	Wyatt.

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

SENATE BILL NO. 93 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 93, A bill to be entitled "An Act amending Article 7471 of the Revised Civil Statutes of Texas of 1925."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 93 ON THIRD READING.

Mr. Hardy moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate bill No. 93 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105.

Adams of Jasper.	Harrison
Adamson.	of El Paso.
Adkins.	Hatchitt.
Akin.	Herzik.
Baker.	Hines.
Barron.	Holloway.
Bedford.	Hoskins.
Bounds.	Howsley.
Boyd.	Hubbard.
Brice.	Hughes.
Brooks.	Jackson.
Bryant.	Johnson
Burns of Walker.	of Dallam.
Carpenter.	Johnson
Claunch.	of Dimmit.
Coltrin.	Johnson of Morris.
Coombes.	Jones of Shelby.
Cox of Lamar.	Justiss.
Cox of Limestone.	Keller.
Cunningham.	Kennedy.
Daniel.	Laird.
Davis.	Lasseter.
De Wolfe.	Lemens.
Dodd.	Leonard.
Donnell.	Lilley.
Dowell.	Lockhart.
Dunlap.	Long.
Dwyer.	McDougald.
Elliott.	McGregor.
Farmer.	Magee.
Farrar.	Martin.
Ferguson.	Mathis.
Finn.	Moffett.
Fisher.	Munson.
Forbes.	Murphy.
Gilbert.	Olsen.
Giles.	O'Quinn.
Goodman.	Petsch.
Greathouse.	Pope.
Grogan.	Ratliff.
Hanson.	Ray.
Hardy.	Richardson.

Rogers.
Rountree.
Sanders.
Satterwhite.
Savage.
Scott.
Sherrill.
Smith of Wood.
Sparkman.
Stevenson.
Steward.
Strong.
Terrell
of Val Verde.

Turner.
Van Zandt.
Vaughan.
Veatch.
Walker.
Warwick.
West of Coryell.
West of Cameron.
Wiggs.
Wyatt.
Young.

Absent.

Adams of Harris.	Jones of Atascosa.
Alsup.	Kayton.
Albritton.	Lee.
Anderson.	McCombs.
Beck.	McGill.
Bond.	Mehl.
Bradley.	Metcalfe.
Burns	Moore.
of McCulloch.	Morse.
Caven.	Nicholson.
Dale.	Patterson.
Duvall.	Ramsey.
Ford.	Reader.
Fuchs.	Shelton.
Graves.	Smith of Bastrop.
Harman.	Stephens.
Harrison	Sullivant.
of Waller.	Tarwater.
Hefley.	Towery.
Hill.	Wagstaff.
Holder.	Weinert.
Holland.	Westbrook.

Absent—Excused.

Engelhard. Terrell
of Cherokee.

The Speaker then laid Senate bill No. 93 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—107.

Adams of Jasper.	Coltrin.
Adamson.	Coombes.
Adkins.	Cox of Lamar.
Akin.	Cox of Limestone.
Alsup.	Cunningham.
Baker.	Daniel.
Barron.	Davis.
Bedford.	DeWolfe.
Bounds.	Dodd.
Boyd.	Donnell.
Brice.	Dowell.
Brooks.	Dwyer.
Bryant.	Elliott.
Burns of Walker.	Farmer.
Carpenter.	Ferguson.
Claunch.	Finn.

Fisher.
Forbes.
Gilbert.
Giles.
Goodman.
Greathouse.
Grogan.
Hanson.
Hardy.
Harman.
Harrison
of El Paso.
Hatchitt.
Herzik.
Hines.
Holloway.
Hoskins.
Howsley.
Hubbard.
Hughes.
Jackson.
Johnson
of Dallam.
Johnson
of Dimmit.
Johnson of Morris.
Jones of Shelby.
Justiss.
Keller.
Kennedy.
Laird.
Lasseter.
Lemens.
Leonard.
Lilley.
Lockhart.
Long.
McDougald.
McGill.
McGregor.

Magee.
Martin.
Mathis.
Metcalfe.
Moffett.
Munson.
Murphy.
Olsen.
O'Quinn.
Petsch.
Ratliff.
Ray.
Richardson.
Rogers.
Rountree.
Sanders.
Satterwhite.
Savage.
Scott.
Sherrill.
Smith of Wood.
Sparkman.
Stevenson.
Steward.
Strong.
Terrell
of Val Verde.
Turner.
Van Zandt.
Vaughan.
Veatch.
Wagstaff.
Walker.
Warwick.
West of Coryell.
West of Cameron.
Wiggs.
Wyatt.
Young.

Absent.

Adams of Harris.	Holland.
Albritton.	Jones of Atascosa.
Anderson.	Kayton.
Beck.	Lee.
Bond.	McCombs.
Bradley.	Mehl.
Burns	Moore.
of McCulloch.	Morse.
Caven.	Nicholson.
Dale.	Patterson.
Dunlap.	Pope.
Duvall.	Ramsey.
Farrar.	Reader.
Ford.	Shelton.
Fuchs.	Smith of Bastrop.
Graves.	Stephens.
Harrison	Sullivant.
of Waller.	Tarwater.
Hefley.	Towery.
Hill.	Weinert.
Holder.	Westbrook.

Absent—Excused.

Engelhard. Terrell of Cherokee.

SENATE BILL NO. 106 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 106, A bill to be entitled "An Act creating a committee to be known and styled 'The Texas Centennial Committee'; said committee to be composed of nine members, three of whom are to be appointed by the Speaker of the House, three by the Lieutenant Governor, and three by the Governor; providing that said committee shall be commissioned, shall organize by the election of a president, a vice-president and other necessary officers and employes; that said committee shall serve without any compensation other than their traveling expenses and hotel bills, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 106 ON THIRD READING.

Mr. McGregor moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate bill No. 106 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106.

Adams of Jasper.	Dunlap.
Adamson.	Dwyer.
Adkins.	Elliott.
Akin.	Farmer.
Alsup.	Farrar.
Baker.	Ferguson.
Barron.	Finn.
Bedford.	Fisher.
Bond.	Forbes.
Bounds.	Gilbert.
Boyd.	Giles.
Brice.	Goodman.
Brooks.	Greathouse.
Bryant.	Grogan.
Burns of Walker.	Hanson.
Carpenter.	Hardy.
Claunch.	Harman.
Coltrin.	Harrison.
Coombes.	of El Paso.
Cox of Lamar.	Hatchitt.
Cox of Limestone.	Herzik.
Cunningham.	Hines.
Daniel.	Holland.
Davis.	Holloway.
DeWolfe.	Hoskins.
Dodd.	Howsley.
Donnell.	Hubbard.
Dowell.	Hughes.

Jackson.	Pope.
Johnson of Morris.	Ratliff.
Jones of Shelby.	Ray.
Justiss.	Richardson.
Keller.	Rogers.
Kennedy.	Rountree.
Laird.	Satterwhite.
Lasseter.	Savage.
Lee.	Scott.
Lemens.	Sherrill.
Leonard.	Smith of Wood.
Lilley.	Sparkman.
Lockhart.	Stevenson.
Long.	Steward.
McDougald.	Strong.
McGill.	Terrell.
McGregor.	of Val Verde.
Magee.	Turner.
Martin.	Van Zandt.
Mathis.	Veatch.
Moffett.	Walker.
Munson.	Warwick.
Murphy.	West of Coryell.
Olsen.	West of Cameron.
O'Quinn.	Wiggs.
Petsch.	Young.

Absent.

Adams of Harris.	Kayton.
Albritton.	McCombs.
Anderson.	Mehl.
Beck.	Metcalfe.
Bradley.	Moore.
Burns.	Morse.
of McCulloch.	Nicholson.
Caven.	Patterson.
Dale.	Ramsey.
Duvall.	Reader.
Ford.	Sanders.
Fuchs.	Shelton.
Graves.	Smith of Bastrop.
Harrison.	Stephens.
of Waller.	Sullivant.
Hefley.	Tarwater.
Hill.	Towery.
Holder.	Vaughan.
Johnson.	Wagstaff.
of Dallam.	Weinert.
Johnson.	Westbrook.
of Dimmit.	Wyatt.
Jones of Atascosa.	

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

The Speaker then laid Senate bill No. 106 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—100.

Adams of Jasper.	Adkins.
Adamson.	Alsup.

Baker.	Jones of Shelby.
Barron.	Justiss.
Bedford.	Keller.
Bond.	Laird.
Bounds.	Lasseter.
Boyd.	Lee.
Brice.	Lemens.
Bryant.	Leonard.
Burns of Walker.	Lilley.
Carpenter.	Lockhart.
Claunch.	Long.
Coltrin.	McDougald.
Coombes.	McGill.
Cox of Lamar.	McGregor.
Cox of Limestone.	Magee.
Cunningham.	Martin.
Daniel.	Mathis.
Davis.	Moffett.
DeWolfe.	Munson.
Donnell.	Olsen.
Dowell.	O'Quinn.
Dunlap.	Petsch.
Dwyer.	Pope.
Elliott.	Ratliff.
Farrar.	Ray.
Ferguson.	Richardson.
Fisher.	Rogers.
Forbes.	Rountree.
Gilbert.	Satterwhite.
Giles.	Savage.
Goodman.	Scott.
Grogan.	Sherrill.
Hanson.	Smith of Wood.
Hardy.	Sparkman.
Harman.	Stevenson.
Harrison	Steward.
of El Paso.	Strong.
Hatchitt.	Terrell
Herzik.	of Val Verde.
Hines.	Turner.
Holland.	Van Zandt.
Holloway.	Veatch.
Hoskins.	Walker.
Howsley.	Warwick.
Hubbard.	West of Coryell.
Hughes.	West of Cameron.
Jackson.	Wiggs.
Johnson	Wyatt.
of Dallam.	Young.
Johnson of Morris.	

Nays—7.

Akin.	Greathouse.
Dodd.	Kennedy.
Farmer.	Vaughan.
Finn.	

Absent.

Adams of Harris.	Caven.
Albritton.	Dale.
Anderson.	Duvall.
Beck.	Ford.
Bradley.	Fuchs.
Brooks.	Graves.
Burns	Harrison
of McCulloch.	of Waller.

Hefley.	Patterson.
Hill.	Ramsey.
Holder.	Reader.
Jones of Atascosa.	Sanders.
Johnson	Shelton.
of Dimmit.	Smith of Bastrop.
Kayton.	Stephens.
McCombs.	Sullivant.
Mehl.	Tarwater.
Metcalfe.	Towery.
Moore.	Wagstaff.
Morse.	Weinert.
Murphy.	Westbrook.
Nicholson.	

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

HOUSE BILL NO. 1039 ON FINAL PASSAGE.

Mr. DeWolfe moved to reconsider the vote by which House bill No. 1039 was passed.

The motion to reconsider prevailed.

House bill No. 1039 was then passed by the following vote:

Yeas—103.

Adams of Jasper.	Greathouse.
Adamson.	Grogan.
Adkins.	Hanson.
Akin.	Hardy.
Alsup.	Harman.
Baker.	Harrison
Barron.	of El Paso.
Bedford.	Hatchitt.
Bond.	Herzik.
Bounds.	Hines.
Boyd.	Holland.
Brice.	Holloway.
Bryant.	Hoskins.
Burns of Walker.	Howsley.
Carpenter.	Hubbard.
Claunch.	Hughes.
Coltrin.	Jackson.
Coombes.	Johnson
Cox of Lamar.	of Dimmit.
Cox of Limestone.	Johnson of Morris.
Cunningham.	Jones of Shelby.
Davis.	Justiss.
DeWolfe.	Keller.
Dodd.	Kennedy.
Donnell.	Laird.
Dowell.	Lasseter.
Dunlap.	Lee.
Dwyer.	Lemens.
Elliott.	Leonard.
Farrar.	Lilley.
Ferguson.	Lockhart.
Finn.	McDougald.
Forbes.	McGill.
Gilbert.	McGregor.
Giles.	Magee.
Goodman.	Martin.

Mathis.	Sherrill.
Metcalfe.	Smith of Bastrop.
Moffett.	Stevenson.
Munson.	Steward.
Murphy.	Strong.
Olsen.	Terrell
O'Quinn.	of Val Verde.
Petsch.	Turner.
Pope.	Van Zandt.
Ratliff.	Vaughan.
Ray.	Veatch.
Richardson.	Walker.
Rogers.	Warwick.
Rountree.	West of Coryell.
Satterwhite.	West of Cameron.
Savage.	Wiggs.
Scott.	Young.

Present—Not Voting.

Farmer.

Absent.

Adams of Harris.	Jones of Atascosa.
Albritton.	Kayton.
Anderson.	Long.
Beck.	McCombs.
Bradley.	Mehl.
Brooks.	Moore.
Burns	Morse.
of McCulloch.	Nicholson.
Caven.	Patterson.
Dale.	Ramsey.
Daniel.	Reader.
Duvall.	Sanders.
Fisher.	Shelton.
Ford.	Smith of Wood.
Fuchs.	Sparkman.
Graves.	Stephens.
Harrison	Sullivant.
of Waller.	Tarwater.
Hefley.	Towery.
Hill.	Wagstaff.
Holder.	Weinert.
Johnson	Westbrook.
of Dallam.	Wyatt.

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

SENATE BILL NO. 124 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 124, A bill to be entitled "An Act authorizing and directing the Board of Directors and other managing officers of the Agricultural and Mechanical College to create and operate a fireman's training school as a part of said college; providing for the creation of a board to advise in the conducting of the same; making

an appropriation therefor, and declaring an emergency."

The bill was read second time.

On motion of Mrs. Rountree, the bill was laid on the table subject to call.

SENATE BILL NO. 149 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 149, A bill to be entitled "An Act to amend Article 1058 of the Code of Criminal Procedure of the State of Texas, being Acts of 1930, Forty-first Legislature, Fourth Called Session, page 93, Chapter 52, Section 1, and an act to fix the compensation of grand jury bailiffs in counties having a population of one hundred and fifty thousand (150,000) or more, according to the 1930 census, or which may hereafter have such population, and providing for an allowance to compensate such bailiffs for automobile expenses and upkeep, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 149 ON THIRD READING.

Mr. Greathouse moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate bill No. 149 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101.

Adams of Jasper.	Daniel.
Adamson.	DeWolfe.
Adkins.	Dodd.
Akin.	Donnell.
Alsup.	Dowell.
Baker.	Dunlap.
Barron.	Dwyer.
Bond.	Elliott.
Bounds.	Farmer.
Boyd.	Farrar.
Brice.	Ferguson.
Bryant.	Fisher.
Burns of Walker.	Forbes.
Carpenter.	Gilbert.
Claunch.	Giles.
Coltrin.	Greathouse.
Coombes.	Grogan.
Cox of Lamar.	Hanson.
Cox of Limestone.	Hardy.
Cunningham.	Harman.

Harrison	Munson.
of El Paso.	Murphy.
Hatchitt.	Olsen.
Herzik.	O'Quinn.
Hines.	Petsch.
Holland.	Pope.
Holloway.	Ratliff.
Howsley.	Ray.
Hubbard.	Richardson.
Hughes.	Rogers.
Johnson	Satterwhite.
of Dallam.	Savage.
Johnson	Scott.
of Dimmit.	Sherrill.
Johnson of Morris.	Smith of Wood.
Jones of Shelby.	Sparkman.
Justiss.	Stevenson.
Keller.	Steward.
Kennedy.	Strong.
Laird.	Terrell
Lasseter.	of Val Verde.
Lee.	Turner.
Lemens.	Van Zandt.
Leonard.	Vaughan.
Lilley.	Veatch.
Lockhart.	Walker.
Long.	Warwick.
McDougald.	West of Coryell.
McGregor.	West of Cameron.
Magee.	Wiggs.
Martin.	Wyatt.
Mathis.	Young.
Moffett.	

Nays—1.

Finn.

Absent.

Adams of Harris.	Jones of Atascosa.
Albritton.	Kayton.
Anderson.	McCombs.
Beck.	McGill.
Bedford.	Mehl.
Bradley.	Metcalfe.
Brooks.	Moore.
Burns	Morse.
of McCulloch.	Nicholson.
Caven.	Patterson.
Dale.	Ramsey.
Davis.	Reader.
Duvall.	Rountree.
Ford.	Sanders.
Fuchs.	Shelton.
Goodman.	Smith of Bastrop.
Graves.	Stephens.
Harrison of Waller.	Sullivant.
Hefley.	Tarwater.
Hill.	Towery.
Holder.	Wagstaff.
Hoskins.	Weinert.
Jackson.	Westbrook.

Absent—Excused.

Engelhard. Terrell of Cherokee.

The Speaker then laid Senate bill No. 149 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—101.

Mr. Speaker.	Johnson
Adams of Jasper.	of Dallam.
Adamson.	Johnson
Adkins.	of Dimmit.
Akin.	Johnson of Morris.
Alsup.	Jones of Shelby.
Baker.	Justiss.
Barron.	Keller.
Bedford.	Kennedy.
Bond.	Laird.
Bounds.	Lee.
Boyd.	Lemens.
Brice.	Leonard.
Bryant.	Lilley.
Burns of Walker.	Lockhart.
Carpenter.	Long.
Claunch.	McDougald.
Coltrin.	McGregor.
Coombes.	Magee.
Cox of Lamar.	Martin.
Cox of Limestone.	Mathis.
Cunningham.	Moffett.
Daniel.	Munson.
DeWolfe.	Murphy.
Dodd.	Olsen.
Donnell.	O'Quinn.
Dowell.	Petsch.
Dunlap.	Pope.
Duvall.	Ratliff.
Dwyer.	Ray.
Elliott.	Richardson.
Farrar.	Rogers.
Ferguson.	Rountree.
Fisher.	Satterwhite.
Forbes.	Savage.
Gilbert.	Sherrill.
Giles.	Smith of Wood.
Goodman.	Sparkman.
Greathouse.	Stevenson.
Grogan.	Steward.
Hanson.	Strong.
Hardy.	Terrell
Harman.	of Val Verde.
Harrison	Turner.
of El Paso.	Van Zandt.
Hatchitt.	Vaughan.
Herzik.	Veatch.
Hines.	Walker.
Holloway.	Warwick.
Hoskins.	West of Coryell.
Howsley.	West of Cameron.
Hubbard.	Wiggs.
Hughes.	Young.

Nays—2.

Farmer.

Finn.

Absent.

Adams of Harris.	Beck.
Albritton.	Bradley.
Anderson.	Brooks.

Burns	Mehl.
of McCulloch.	Metcalfe.
Caven.	Moore.
Dale.	Morse.
Davis.	Nicholson.
Ford.	Patterson.
Fuchs.	Ramsey.
Graves.	Reader.
Harrison	Sanders.
of Waller.	Scott.
Hefley.	Shelton.
Hill.	Smith of Bastrop.
Holder.	Stephens.
Holland.	Sullivant.
Jackson.	Tarwater.
Jones of Atascosa.	Towery.
Kayton.	Wagstaff.
Lasseter.	Weinert.
McCombs.	Westbrook.
McGill.	Wyatt.

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

SENATE BILL NO. 512 ON THIRD READING.

Mr. Johnson of Dallam moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate bill No. 512 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Mr. Speaker.	Duwall.
Adams of Jasper.	Dwyer.
Adamson.	Elliott.
Adkins.	Farmer.
Akin.	Farrar.
Alsup.	Ferguson.
Baker.	Finn.
Barron.	Fisher.
Bedford.	Forbes.
Bond.	Gilbert.
Bounds.	Giles.
Boyd.	Goodman.
Brice.	Greathouse.
Brooks.	Grogan.
Bryant.	Hardy.
Burns of Walker.	Harman.
Carpenter.	Harrison
Coltrin.	of El Paso.
Coombes.	Hatchitt.
Cox of Lamar.	Herzik.
Cox of Limestone.	Hines.
Daniel.	Holland.
Davis.	Holloway.
DeWolfe.	Hoskins.
Dodd.	Howsley.
Dunlap.	Hubbard.
Donnell.	Hughes.

Jackson.	Pope.
Johnson	Ratliff.
of Dallam.	Ray.
Johnson	Richardson.
of Dimmit.	Rogers.
Jones of Shelby.	Rountree.
Justiss.	Satterwhite.
Keller.	Savage.
Kennedy.	Scott.
Laird.	Sherrill.
Lasseter.	Smith of Wood.
Lee.	Sparkman.
Lemens.	Stevenson.
Leonard.	Steward.
Lilley.	Strong.
Lockhart.	Turner.
Long.	Van Zandt.
McDougald.	Vaughan.
Magee.	Veatch.
Martin.	Walker.
Mathis.	Warwick.
Moffett.	West of Coryell.
Murphy.	West of Cameron.
Olsen.	Wiggs.
O'Quinn.	Wyatt.
Petsch.	Young.

Absent.

Adams of Harris.	McCombs.
Albritton.	McGill.
Anderson.	McGregor.
Beck.	Mehl.
Bradley.	Metcalfe.
Burns	Moore.
of McCulloch.	Morse.
Caven.	Munson.
Claunch.	Nicholson.
Cunningham.	Patterson.
Dale.	Ramsey.
Dowell.	Reader.
Ford.	Sanders.
Fuchs.	Shelton.
Graves.	Smith
Hanson.	of Bastrop.
Harrison	Stephens.
of Waller.	Sullivant.
Hefley.	Tarwater.
Hill.	Terrell
Holder.	of Val Verde.
Johnson	Towery.
of Morris.	Wagstaff.
Jones	Weinert.
of Atascosa.	Westbrook.
Kayton.	

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

The Speaker then laid Senate bill No. 512 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—101.

Adamson.	Hughes.
Adkins.	Jackson.
Akin.	Johnson
Alsup.	of Dallam.
Baker.	Johnson
Barron.	of Dimmit.
Bedford.	Johnson of Morris.
Bond.	Jones of Shelby.
Bounds.	Justiss.
Boyd.	Keller.
Brice.	Kennedy.
Brooks.	Lasseter.
Bryant.	Lee.
Burns of Walker.	Leonard.
Carpenter.	Lilley.
Claunch.	Lockhart.
Coltrin.	Long.
Coombes.	McDougald.
Cox of Lamar.	McGregor.
Cox of Limestone.	Magee.
Cunningham.	Martin.
Daniel.	Mathis.
Davis.	Munson.
DeWolfe.	Murphy.
Dodd.	Olsen.
Donnell.	O'Quinn.
Dowell.	Petsch.
Dunlap.	Pope.
Duvall.	Ratliff.
Dwyer.	Ray.
Elliott.	Richardson.
Farrar.	Rogers.
Ferguson.	Rountree.
Finn.	Satterwhite.
Fisher.	Savage.
Forbes.	Scott.
Gilbert.	Sherrill.
Giles.	Smith of Wood.
Greathouse.	Sparkman.
Grogan.	Stevenson.
Hanson.	Steward.
Hardy.	Strong.
Harman.	Turner.
Harrison	Van Zandt.
of El Paso.	Vaughan.
Hatchitt.	Veatch.
Herzik.	Walker.
Hines.	Warwick.
Holland.	West of Coryell.
Holloway.	West of Cameron.
Hoskins.	Wiggs.
Hubbard.	Young.

Present—Not Voting.

Farmer.

Absent.

Adams of Harris.	Caven.
Adams of Jasper.	Dale.
Albritton.	Ford.
Anderson.	Fuchs.
Beck.	Goodman.
Bradley.	Graves.
Burns	Harrison
of McCulloch.	of Waller.

Hefley.	Patterson.
Hill.	Ramsey.
Holder.	Reader.
Howsley.	Sanders.
Jones of Atascosa.	Shelton.
Kayton.	Smith of Bastrop.
Laird.	Stephens.
Lemens.	Sullivant.
McCombs.	Tarwater.
McGill.	Terrell
Mehl.	of Val Verde.
Metcalfe.	Towery.
Moffett.	Wagstaff.
Moore.	Weinert.
Morse.	Westbrook.
Nicholson.	Wyatt.

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

SENATE BILL NO. 619 ON THIRD READING.

Mr. Johnson of Dallam moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate bill No. 619 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Adams of Jasper.	Ferguson.
Adamson.	Finn.
Adkins.	Fisher.
Akin.	Forbes.
Alsup.	Gilbert.
Baker.	Giles.
Barron.	Goodman.
Bedford.	Greathouse.
Bond.	Grogan.
Bounds.	Hanson.
Boyd.	Hardy.
Brice.	Harman.
Brooks.	Harrison
Bryant.	of El Paso.
Burns of Walker.	Hatchitt.
Carpenter.	Herzik.
Claunch.	Hines.
Coltrin.	Holland.
Coombes.	Holloway.
Cox of Lamar.	Hoskins.
Cox of Limestone.	Howsley.
Cunningham.	Hubbard.
Daniel.	Jackson.
Davis.	Johnson
DeWolfe.	of Dimmit.
Dodd.	Johnson of Morris.
Donnell.	Jones of Shelby.
Dunlap.	Keller.
Duvall.	Kennedy.
Elliott.	Laird.
Farmer.	Lee.
Farrar.	Leonard.

Lilley.	Sherrill.
Lockhart.	Smith of Wood.
Long.	Sparkman.
McDougald.	Stevenson.
McGregor.	Steward.
Magee.	Strong.
Mathis.	Terrell
Munson.	of Val Verde.
Murphy.	Turner.
Olsen.	Van Zandt.
O'Quinn.	Vaughan.
Petsch.	Veatch.
Pope.	Walker.
Ratliff.	Warwick.
Ray.	West of Coryell.
Richardson.	West of Cameron.
Rogers.	Wiggs.
Rountree.	Wyatt.
Satterwhite.	Young.
Savage.	

Absent.

Adams of Harris.	Lasseter.
Albritton.	Lemens.
Anderson.	McCombs.
Beck.	McGill.
Bradley.	Martin.
Burns	Mehl.
of McCulloch.	Metcalf.
Caven.	Moffett.
Dale.	Moore.
Dowell.	Morse.
Dwyer.	Nicholson.
Ford.	Patterson.
Fuchs.	Ramsey.
Graves.	Reader.
Harrison	Sanders.
of Waller.	Scott.
Hefley.	Shelton.
Hill.	Smith of Bastrop.
Holder.	Stephens.
Hughes.	Sullivant.
Jones of Atascosa.	Tarwater.
Johnson	Towery.
of Dallam.	Wagstaff.
Justiss.	Weinert.
Kayton.	Westbrook.

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

The Speaker then laid Senate bill No. 619 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—101.

Mr. Speaker.	Barron.
Adams of Jasper.	Bedford.
Adamson.	Bond.
Adkins.	Bounds.
Akin.	Boyd.
Alsup.	Brice.
Baker.	Brooks.

Bryant.	Justiss.
Burns of Walker.	Keller.
Carpenter.	Kennedy.
Claunch.	Laird.
Coltrin.	Lee.
Coombes.	Leonard.
Cox of Lamar.	Lilley.
Cox of Limestone.	Lockhart.
Cunningham.	Long.
Daniel.	McDougald.
Davis.	McGill.
DeWolfe.	McGregor.
Dodd.	Magee.
Donnell.	Martin.
Dunlap.	Mathis.
Dwyer.	Munson.
Elliott.	Murphy.
Ferguson.	Olsen.
Finn.	O'Quinn.
Forbes.	Petsch.
Gilbert.	Pope.
Giles.	Ratliff.
Goodman.	Ray.
Greathouse.	Richardson.
Grogan.	Rogers.
Hanson.	Satterwhite.
Hardy.	Savage.
Harman.	Scott.
Harrison	Sherrill.
of El Paso.	Smith of Wood.
Hatchitt.	Sparkman.
Herzik.	Stevenson.
Hines.	Steward.
Holland.	Strong.
Holloway.	Turner.
Hoskins.	Van Zandt.
Howsley.	Vaughan.
Hubbard.	Veatch.
Hughes.	Walker.
Jackson.	Warwick.
Johnson	West of Coryell.
of Dallam.	West of Cameron.
Johnson	Wiggs.
of Dimmit.	Wyatt.
Johnson of Morris.	Young.

Present—Not Voting.

Farmer.

Absent.

Adams of Harris.	Harrison
Albritton.	of Waller.
Anderson.	Hefley.
Beck.	Hill.
Bradley.	Holder.
Burns	Jones of Shelby.
of McCulloch.	Jones of Atascosa.
Caven.	Kayton.
Dale.	Lasseter.
Dowell.	Lemens.
Duvall.	McCombs.
Farrar.	Mehl.
Fisher.	Metcalf.
Ford.	Moffett.
Fuchs.	Moore.
Graves.	Morse.

Nicholson.	Sullivan.
Patterson.	Tarwater.
Ramsey.	Terrell
Reader.	of Val Verde.
Rountree.	Towery.
Sanders.	Wagstaff.
Shelton.	Weinert.
Smith of Bastrop.	Westbrook.
Stephens.	

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

SENATE BILL NO. 568 ON THIRD READING.

Mr. Lemens moved that the constitutional rule requiring bills to be read on three several days be suspended, and that Senate bill No. 568 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105.

Mr. Speaker.	Grogan.
Adams of Jasper.	Hanson.
Adamson.	Hardy.
Adkins.	Harman.
Akin.	Harrison
Alsup.	of El Paso.
Baker.	Hatchitt.
Barron.	Herzik.
Bedford.	Hines.
Bond.	Holland.
Bounds.	Holloway.
Boyd.	Hoskins.
Brice.	Howsley.
Brooks.	Hubbard.
Bryant.	Hughes.
Burns of Walker.	Jackson.
Carpenter.	Johnson
Claunch.	of Dallam.
Coltrin.	Johnson
Coombes.	of Dimmit.
Cox of Lamar.	Johnson of Morris.
Cox of Limestone.	Jones of Shelby.
Cunningham.	Justiss.
Daniel.	Keller.
Davis.	Kennedy.
DeWolfe.	Laird.
Dodd.	Lee.
Donnell.	Leonard.
Dunlap.	Lilley.
Dwyer.	Lockhart.
Elliott.	Long.
Farmer.	McDougald.
Farrar.	McGill.
Ferguson.	McGregor.
Finn.	Magee.
Fisher.	Martin.
Forbes.	Mathis.
Gilbert.	Munson.
Giles.	Murphy.
Goodman.	Olsen.
Greathouse.	O'Quinn.

Petsch.	Steward.
Pope.	Strong.
Ratliff.	Terrell
Ray.	of Val Verde.
Richardson.	Turner.
Rogers.	Van Zandt.
Rountree.	Veatch.
Sanders.	Walker.
Satterwhite.	Warwick.
Savage.	West of Coryell.
Sherrill.	West of Cameron.
Smith of Wood.	Wiggs.
Sparkman.	Young.
Stevenson.	

Absent.

Adams of Harris.	McCombs.
Albritton.	Mehl.
Anderson.	Metcalfe.
Beck.	Moffett.
Bradley.	Moore.
Burns	Morse.
of McCulloch.	Nicholson.
Caven.	Patterson.
Dale.	Ramsey.
Dowell.	Reader.
Duvall.	Scott.
Ford.	Shelton.
Fuchs.	Smith of Bastrop.
Graves.	Stephens.
Harrison	Sullivant.
of Waller.	Tarwater.
Hefley.	Towery.
Hill.	Vaughan.
Holder.	Wagstaff.
Jones of Atascosa.	Weinert.
Kayton.	Westbrook.
Lasseter.	Wyatt.
Lemens.	

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

The Speaker then laid Senate bill No. 568 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—102.

Mr. Speaker.	Carpenter.
Adams of Jasper.	Claunch.
Adamson.	Coltrin.
Adkins.	Coombes.
Alsup.	Cox of Lamar.
Baker.	Cox of Limestone.
Barron.	Cunningham.
Bedford.	Daniel.
Bond.	Davis.
Bounds.	DeWolfe.
Boyd.	Dodd.
Brice.	Donnell.
Brooks.	Dunlap.
Bryant.	Duvall.
Burns of Walker.	Dwyer.

Elliott.	Long.
Farrar.	McDougald.
Ferguson.	McGill.
Finn.	McGregor.
Forbes.	Magee.
Gilbert.	Martin.
Giles.	Mathis.
Goodman.	Munson.
Greathouse.	Murphy.
Grogan.	Olsen.
Hanson.	O'Quinn.
Hardy.	Petsch.
Harman.	Pope.
Harrison	Ratliff.
of El Paso.	Ray.
Hatchitt.	Richardson.
Herzik.	Rogers.
Hines.	Rountree.
Holland.	Satterwhite.
Holloway.	Savage.
Hoskins.	Scott.
Howsley.	Sherrill.
Hubbard.	Smith of Wood.
Hughes.	Sparkman.
Jackson.	Stevenson.
Johnson	Strong.
of Dallam.	Turner.
Johnson	Van Zandt.
of Dimmit.	Vaughan.
Johnson of Morris.	Veatch.
Jones of Shelby.	Walker.
Justiss.	Warwick.
Laird.	West of Coryell.
Lee.	West of Cameron.
Lemens.	Wiggs.
Leonard.	Wyatt.
Lilley.	Young.
Lockhart.	

Nays—1.

Kennedy.

Present—Not Voting.

Akin. Farmer.

Absent.

Adams of Harris.	Kayton.
Albritton.	Keller.
Anderson.	Lasseter.
Beck.	McCombs.
Bradley.	Mehl.
Burns	Metcalfe.
of McCulloch.	Moffett.
Caven.	Moore.
Dale.	Morse.
Dowell.	Nicholson.
Fisher.	Patterson.
Ford.	Ramsey.
Fuchs.	Reader.
Graves.	Sanders.
Harrison	Shelton.
of Waller.	Smith of Bastrop.
Hefley.	Stephens.
Hill.	Steward.
Holder.	Sullivant.
Jones of Atascosa.	Tarwater.

Terrell	Wagstaff.
of Val Verde.	Weinert.
Towery.	Westbrook.

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

HOUSE BILL NO. 860 ON THIRD READING.

Mr. Hines moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 860 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105.

Adams of Jasper.	Hatchitt.
Adamson.	Herzik.
Adkins.	Hines.
Akin.	Holland.
Alsup.	Holloway.
Baker.	Hoskins.
Barron.	Howsley.
Bedford.	Hubbard.
Bond.	Hughes.
Bounds.	Jackson.
Boyd.	Johnson
Brice.	of Dallam.
Brooks.	Johnson
Bryant.	of Dimmit.
Burns of Walker.	Jones of Shelby.
Carpenter.	Keller.
Claunch.	Kennedy.
Coltrin.	Laird.
Coombes.	Lee.
Cox of Lamar.	Lemens.
Cox of Limestone.	Lilley.
Cunningham.	Lockhart.
Daniel.	Long.
Davis.	McDougald.
DeWolfe.	McGill.
Dodd.	McGregor.
Donnell.	Magee.
Dunlap.	Martin.
Duvall.	Mathis.
Dwyer.	Munson.
Elliott.	Murphy.
Farmer.	Olsen.
Farrar.	O'Quinn.
Ferguson.	Petsch.
Finn.	Pope.
Fisher.	Ratliff.
Forbes.	Ray.
Gilbert.	Richardson.
Giles.	Rogers.
Goodman.	Rountree.
Greathouse.	Sanders.
Grogan.	Satterwhite.
Hanson.	Savage.
Hardy.	Scott.
Harman.	Sherrill.
Harrison	Smith of Wood.
of El Paso.	Sparkman.

Stevenson.	Veatch.
Steward.	Walker.
Strong.	West of Coryell.
Terrell	West of Cameron.
of Val Verde.	Wiggs.
Turner.	Wyatt.
Van Zandt.	Young.
Vaughan.	

Nays—1.

Warwick.

Absent.

Adams of Harris.	Lasseter.
Albritton.	Leonard.
Anderson.	McCombs.
Beck.	Mehl.
Bradley.	Metcalf.
Burns	Moffett.
of McCulloch.	Moore.
Caven.	Morse.
Dale.	Nicholson.
Dowell.	Patterson.
Ford.	Ramsey.
Fuchs.	Reader.
Graves.	Shelton.
Harrison	Smith of Bastrop.
of Waller.	Stephens.
Hefley.	Sullivant.
Hill.	Tarwater.
Holder.	Towery.
Jones of Atascosa.	Wagstaff.
Johnson of Morris.	Weinert.
Justiss.	Westbrook.
Kayton.	

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

The Speaker then laid House bill No. 860 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—104.

Adams of Jasper.	Cunningham.
Adamson.	Daniel.
Akin.	Davis.
Alsup.	DeWolfe.
Baker.	Dodd.
Barron.	Donnell.
Bedford.	Dunlap.
Bond.	Duvall.
Bounds.	Dwyer.
Boyd.	Elliott.
Brice.	Farrar.
Brooks.	Ferguson.
Bryant.	Finn.
Burns of Walker.	Fisher.
Carpenter.	Forbes.
Claunch.	Gilbert.
Coltrin.	Giles.
Coombes.	Goodman.
Cox of Lamar.	Greathouse.
Cox of Limestone.	Grogan.

Hanson.	Martin.
Hardy.	Mathis.
Harman.	Munson.
Harrison	Murphy.
of El Paso.	Olsen.
Hatchitt.	O'Quinn.
Herzik.	Petsch.
Hines.	Pope.
Holland.	Ratliff.
Holloway.	Ray.
Hoskins.	Richardson.
Howsley.	Rogers.
Hubbard.	Rountree.
Hughes.	Satterwhite.
Jackson.	Savage.
Johnson	Scott.
of Dallam.	Sherrill.
Johnson	Smith of Wood.
of Dimmit.	Sparkman.
Johnson of Morris.	Stevenson.
Jones of Shelby.	Steward.
Keller.	Strong.
Kennedy.	Terrell
Laird.	of Val Verde.
Lee.	Van Zandt.
Lemens.	Vaughan.
Leonard.	Veatch.
Lilley.	Walker.
Lockhart.	Warwick.
Long.	West of Coryell.
McDougald.	West of Cameron.
McGill.	Wiggs.
McGregor.	Wyatt.
Magee.	Young.

Present—Not Voting.

Farmer.

Absent.

Adams of Harris.	Lasseter.
Adkins.	McCombs.
Albritton.	Mehl.
Anderson.	Metcalf.
Beck.	Moffett.
Bradley.	Moore.
Burns	Morse.
of McCulloch.	Nicholson.
Caven.	Patterson.
Dale.	Ramsey.
Dowell.	Reader.
Ford.	Sanders.
Fuchs.	Shelton.
Graves.	Smith of Bastrop.
Harrison	Stephens.
of Waller.	Sullivant.
Hefley.	Tarwater.
Hill.	Towery.
Holder.	Turner.
Jones of Atascosa.	Wagstaff.
Justiss.	Weinert.
Kayton.	Westbrook.

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

HOUSE BILL NO. 1051 ON THIRD READING.

Mr. Scott moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 1051 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105.

Adams of Jasper.	Jackson.
Adamson.	Johnson
Adkins.	of Dallam.
Akin.	Johnson
Alsup.	of Dimmit.
Baker.	Johnson of Morris.
Barron.	Jones of Shelby.
Bedford.	Justiss.
Bond.	Keller.
Bounds.	Kennedy.
Boyd.	Laird.
Brice.	Lemens.
Brooks.	Leonard.
Bryant.	Lilley.
Burns of Walker.	Lockhart.
Carpenter.	Long.
Claunch.	McDougald.
Coltrin.	McGill.
Coombes.	McGregor.
Cox of Lamar.	Magee.
Cunningham.	Martin.
Daniel.	Mathis.
Davis.	Munson.
DeWolfe.	Murphy.
Dodd.	Olsen.
Donnell.	O'Quinn.
Dunlap.	Petsch.
Duvall.	Pope.
Dwyer.	Ratliff.
Elliott.	Ray.
Farmer.	Richardson.
Farrar.	Rogers.
Ferguson.	Rountree.
Finn.	Sanders.
Fisher.	Satterwhite.
Forbes.	Savage.
Gilbert.	Scott.
Giles.	Sherrill.
Goodman.	Smith of Wood.
Greathouse.	Sparkman.
Grogan.	Stevenson.
Hanson.	Steward.
Hardy.	Strong.
Harman.	Terrell
Harrison	of Val Verde.
of El Paso.	Van Zandt.
Hatchitt.	Vaughan.
Herzik.	Walker.
Hines.	Warwick.
Holland.	West of Coryell.
Holloway.	West of Cameron.
Hoskins.	Wiggs.
Howsley.	Wyatt.
Hubbard.	Young.
Hughes.	

Absent.

Adams of Harris.	Lee.
Albritton.	McCombs.
Anderson.	Mehl.
Beck.	Metcalf.
Bradley.	Moffett.
Burns	Moore.
of McCulloch.	Morse.
Caven.	Nicholson.
Cox of Limestone.	Patterson.
Dale.	Ramsey.
Dowell.	Reader.
Ford.	Shelton.
Fuchs.	Smith of Bastrop.
Graves.	Stephens.
Harrison	Sullivant.
of Waller.	Tarwater.
Hefley.	Towery.
Hill.	Turner.
Holder.	Veatch.
Jones of Atascosa.	Wagstaff.
Kayton.	Weinert.
Lasseter.	Westbrook.

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

The Speaker then laid House bill No. 1051 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—102.

Adams of Jasper.	Farrar.
Adamson.	Ferguson.
Adkins.	Finn.
Akin.	Fisher.
Alsup.	Forbes.
Baker.	Gilbert.
Barron.	Giles.
Bedford.	Goodman.
Bounds.	Greathouse.
Boyd.	Grogan.
Brice.	Hanson.
Brooks.	Hardy.
Bryant.	Harman.
Burns of Walker.	Harrison
Carpenter.	of El Paso.
Claunch.	Hatchitt.
Coltrin.	Herzik.
Coombes.	Hines.
Cox of Lamar.	Holloway.
Cox of Limestone.	Hoskins.
Cunningham.	Howsley.
Daniel.	Hubbard.
Davis.	Hughes.
DeWolfe.	Jackson.
Dodd.	Johnson
Donnell.	of Dallam.
Dunlap.	Johnson
Duvall.	of Dimmit.
Dwyer.	Johnson of Morris.
Farmer.	Jones of Shelby.

Justiss.	Richardson.
Keller.	Rogers.
Kennedy.	Rountree.
Laird.	Sanders.
Lemens.	Satterwhite.
Leonard.	Savage.
Lilley.	Scott.
Lockhart.	Sherrill.
Long.	Smith of Wood.
McDougald.	Sparkman.
McGill.	Stevenson.
McGregor.	Steward.
Magee.	Strong.
Martin.	Terrell
Mathis.	of Val Verde.
Munson.	Van Zandt.
Murphy.	Vaughan.
Olsen.	Veatch.
O'Quinn.	Walker.
Petsch.	Warwick.
Pope.	West of Coryell.
Ratliff.	Wyatt.
Ray.	Young.

Absent.

Adams of Harris.	Lee.
Albritton.	McCombs.
Anderson.	Mehl.
Beck.	Metcalfe.
Bond.	Moffett.
Bradley.	Moore.
Burns	Morse.
of McCulloch.	Nicholson.
Caven.	Patterson.
Dale.	Ramsey.
Dowell.	Reader.
Elliott.	Shelton.
Ford.	Smith of Bastrop.
Fuchs.	Stephens.
Graves.	Sullivant.
Harrison	Tarwater.
of Waller.	Towery.
Hefley.	Turner.
Hill.	Wagstaff.
Holder.	Weinert.
Holland.	West of Cameron.
Jones of Atascosa.	Westbrook.
Kayton.	Wiggs.
Lasseter.	

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

HOUSE BILL NO. 1054 ON THIRD READING.

Mrs. Hughes moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 1054 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102.

Adams of Jasper.	Jackson.
Adamson.	Johnson
Adkins.	of Dallam.
Alsup.	Johnson
Baker.	of Dimmit.
Barron.	Johnson of Morris.
Bedford.	Jones of Shelby.
Bond.	Justiss.
Bounds.	Keller.
Boyd.	Kennedy.
Brice.	Laird.
Brooks.	Lemens.
Bryant.	Leonard.
Burns of Walker.	Lilley.
Carpenter.	Lockhart.
Claunch.	Long.
Coltrin.	McDougald.
Coombes.	McGill.
Cox of Lamar.	McGregor.
Cox of Limestone.	Magee.
Cunningham.	Martin.
Daniel.	Mathis.
Davis.	Munson.
DeWolfe.	Murphy.
Dodd.	Olsen.
Donnell.	O'Quinn.
Dwyer.	Petsch.
Farmer.	Pope.
Farrar.	Ratliff.
Ferguson.	Ray.
Finn.	Richardson.
Fisher.	Rogers.
Forbes.	Rountree.
Gilbert.	Sanders.
Giles.	Satterwhite.
Goodman.	Savage.
Greathouse.	Scott.
Grogan.	Sherrill.
Hanson.	Smith of Wood.
Hardy.	Sparkman.
Harman.	Stevenson.
Harrison	Steward.
of El Paso.	Strong.
Hatchitt.	Terrell
Herzik.	of Val Verde.
Hines.	Van Zandt.
Holder.	Vaughan.
Holland.	Veatch.
Holloway.	Walker.
Hoskins.	Warwick.
Howsley.	West of Coryell.
Hubbard.	Wyatt.
Hughes.	Young.

Present—Not Voting.

Akin.

Absent.

Adams of Harris.	Caven.
Albritton.	Dale.
Anderson.	Dowell.
Beck.	Dunlap.
Bradley.	Duvall.
Burns	Elliott.
of McCulloch.	Ford.

Fuchs.	Nicholson.
Graves.	Patterson.
Harrison	Ramsey.
of Waller.	Reader.
Hefley.	Shelton.
Hill.	Smith of Bastrop.
Jones of Atascosa.	Stephens.
Kayton.	Sullivant.
Lasseter.	Tarwater.
Lee.	Towery.
McCombs.	Turner.
Mehl.	Wagstaff.
Metcalfe.	Weinert.
Moffett.	West of Cameron.
Moore.	Westbrook.
Morse.	Wiggs.

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

The Speaker then laid House bill No. 1054 before the House on its third reading and final passage.

The bill was read third time, and was passed.

HOUSE BILL NO. 1046 ON FINAL PASSAGE.

Mr. Johnson of Morris moved to reconsider the vote by which House bill No. 1046 was finally passed.

The motion to reconsider prevailed.

House bill No. 1046 was then passed by the following vote:

Yeas—100.

Adams of Jasper.	Farrar.
Adamson.	Ferguson.
Adkins.	Finn.
Akin.	Fisher.
Alsup.	Forbes.
Baker.	Gilbert.
Barron.	Giles.
Bond.	Goodman.
Bounds.	Greathouse.
Boyd.	Grogan.
Brice.	Hanson.
Brooks.	Hardy.
Bryant.	Harman.
Burns of Walker.	Harrison
Carpenter.	of El Paso.
Claunch.	Hatchitt.
Coltrin.	Herzik.
Coombes.	Hines.
Cox of Lamar.	Holland.
Cox of Limestone.	Holloway.
Cunningham.	Hoskins.
Daniel.	Howsley.
Davis.	Hubbard.
DeWolfe.	Hughes.
Dodd.	Jackson.
Donnell.	Johnson
Dwyer.	of Dallam.
Elliott.	

Johnson	Pope.
of Dimmit.	Ratliff.
Johnson of Morris.	Ray.
Jones of Shelby.	Richardson.
Justiss.	Rogers.
Keller.	Rountree.
Kennedy.	Satterwhite.
Laird.	Savage.
Lee.	Sherrill.
Lemens.	Smith of Wood.
Leonard.	Sparkman.
Lilley.	Stevenson.
Lockhart.	Steward.
Long.	Strong.
McDougald.	Terrell
McGill.	of Val Verde.
McGregor.	Van Zandt.
Magee.	Vaughan.
Martin.	Veatch.
Mathis.	Walker.
Munson.	Warwick.
Murphy.	West of Coryell.
Olsen.	Wyatt.
O'Quinn.	Young.
Petsch.	

Present—Not Voting.

Farmer.

Absent.

Adams of Harris.	McCombs.
Albritton.	Mehl.
Anderson.	Metcalfe.
Beck.	Moffett.
Bedford.	Moore.
Bradley.	Morse.
Burns	Nicholson.
of McCulloch.	Patterson.
Caven.	Ramsey.
Dale.	Reader.
Dowell.	Sanders.
Dunlap.	Scott.
Duvall.	Shelton.
Ford.	Smith of Bastrop.
Fuchs.	Stephens.
Graves.	Sullivant.
Harrison	Tarwater.
of Waller.	Towery.
Hefley.	Turner.
Hill.	Wagstaff.
Holder.	Weinert.
Jones of Atascosa.	West of Cameron.
Kayton.	Westbrook.
Lasseter.	Wiggs.

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

HOUSE BILL NO. 1055 ON SECOND READING.

Mr. Satterwhite moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 1055

be placed on its second reading, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Mr. Speaker.	Johnson of Morris.
Adams of Jasper.	Jones of Shelby.
Adamson.	Justiss.
Adkins.	Kayton.
Akin.	Keller.
Alsup.	Kennedy.
Baker.	Laird.
Barron.	Lee.
Bedford.	Lemens.
Bond.	Leonard.
Bounds.	Lilley.
Boyd.	Lockhart.
Brooks.	Long.
Bryant.	McDougald.
Burns of Walker.	McGill.
Carpenter.	McGregor.
Claunch.	Magee.
Coltrin.	Martin.
Coombes.	Mathis.
Cox of Limestone.	Moore.
Daniel.	Munson.
Davis.	Murphy.
DeWolfe.	Olsen.
Dodd.	O'Quinn.
Donnell.	Petsch.
Dwyer.	Pope.
Farmer.	Ratliff.
Farrar.	Ray.
Ferguson.	Richardson.
Finn.	Rogers.
Fisher.	Rountree.
Forbes.	Satterwhite.
Ford.	Savage.
Gilbert.	Scott.
Giles.	Sherrill.
Goodman.	Smith of Wood.
Greathouse.	Sparkman.
Grogan.	Stevenson.
Hanson.	Steward.
Hardy.	Strong.
Harrison	Terrell
of El Paso.	of Val Verde.
Hatchitt.	Turner.
Herzik.	Van Zandt.
Hines.	Veatch.
Holland.	Wagstaff.
Hoskins.	Walker.
Howsley.	Warwick.
Hubbard.	West of Coryell.
Hughes.	Wyatt.
Jackson.	Young.
Johnson	
of Dimmit.	

Absent.

Adams of Harris.	Burns
Albritton.	of McCulloch.
Anderson.	Caven.
Beck.	Cox of Lamar.
Bradley.	Cunningham.
Brice.	Dale.

Dowell.	Metcalf.
Dunlap.	Moffett.
Duvall.	Morse.
Elliott.	Nicholson.
Fuchs.	Patterson.
Graves.	Ramsey.
Harman.	Reader.
Harrison	Sanders.
of Waller.	Shelton.
Hefley.	Smith of Bastrop.
Hill.	Stephens.
Holder.	Sullivant.
Holloway.	Tarwater.
Johnson	Towery.
of Dallam.	Vaughan.
Jones of Atascosa.	Weinert.
Lasseter.	West of Cameron.
McCombs.	Westbrook.
Mehl.	Wiggs.

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 1055, A bill to be entitled "An Act authorizing commissioners courts in any county having not less than 10,135 and not more than 10,145, according to the United States census of 1930, and having an area of not less than 3000 square miles, to allow the county judge and each county commissioner certain expenses for traveling and in connection with the use of his automobile on official business, etc., and declaring an emergency."

The bill was read second time.

Mr. Satterwhite offered the following amendment to the bill:

Amend House bill No. 1055 by striking out "United States census of 1930" wherever it appears in the bill.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House bill No. 1055 was then passed to engrossment.

HOUSE BILL NO. 1055 ON THIRD READING.

The Speaker then laid House bill No. 1055 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—101.

Mr. Speaker.	Adamson.
Adams of Jasper.	Adkins.

Akin.	Jones of Shelby.
Alsup.	Justiss.
Baker.	Kayton.
Barron.	Keller.
Bedford.	Kennedy.
Bond.	Laird.
Bounds.	Lee.
Boyd.	Lemens.
Brooks.	Leonard.
Bryant.	Lilley.
Burns of Walker.	Lockhart.
Carpenter.	Long.
Claunch.	McDougald.
Coombes.	McGill.
Cox of Limestone.	Magee.
Cunningham.	Martin.
Daniel.	Mathis.
Davis.	Moore.
DeWolfe.	Munson.
Dodd.	Murphy.
Donnell.	Olsen.
Dwyer.	O'Quinn.
Farrar.	Petsch.
Ferguson.	Pope.
Finn.	Ratliff.
Fisher.	Richardson.
Forbes.	Rogers.
Ford.	Rountree.
Gilbert.	Sanders.
Giles.	Satterwhite.
Goodman.	Savage.
Greathouse.	Scott.
Hanson.	Sherrill.
Hardy.	Smith of Wood.
Harman.	Sparkman.
Hatchitt.	Stevenson.
Herzik.	Steward.
Holder.	Strong.
Holland.	Terrell
Holloway.	of Val Verde.
Hoskins.	Turner.
Howsley.	Van Zandt.
Hubbard.	Vaughan.
Hughes.	Veatch.
Jackson.	Wagstaff.
Johnson	Walker.
of Dallam.	Warwick.
Johnson	West of Coryell.
of Dimmit.	Wyatt.
Johnson of Morris.	Young.

Present—Not Voting.

Farmer.

Absent.

Adams of Harris.	Dale.
Albritton.	Dowell.
Anderson.	Dunlap.
Beck.	Duvall.
Bradley.	Elliott.
Brice.	Fuchs.
Burns	Graves.
of McCulloch.	Grogan.
Caven.	Harrison
Coltrin.	of El Paso.
Cox of Lamar.	

Harrison	Patterson.
of Waller.	Ramsey.
Hefley.	Ray.
Hill.	Reader.
Hines.	Shelton.
Jones of Atascosa.	Smith of Bastrop.
Lasseter.	Stephens.
McCombs.	Sullivant.
McGregor.	Tarwater.
Mehl.	Towery.
Metcalfe.	Weinert.
Moffett.	West of Cameron.
Morse.	Westbrook.
Nicholson.	Wiggs.

Absent—Excused.

Engelhard.	Terrell
	of Cherokee.

MOTION TO TAKE UP HOUSE BILL NO. 496.

Mr. Hatchitt asked unanimous consent to take up, for consideration at this time,

H. B. No. 496, A bill to be entitled "An Act fixing salaries of county superintendents of public instruction in counties having a population of not less than 60,000 nor more than 75,000, as shown by the Federal census of 1930; providing that the county school trustees shall make an annual allowance out of the State and county available funds for said salaries, and for certain sums for office supplies; providing for expense moneys for said county superintendents; providing monthly payments shall not be made in the month of September until certificates from the State Superintendent have been issued showing that all reports required of said county superintendents have been made; that the expense provided for in this act shall be paid monthly by county treasurers; repealing all laws in conflict, and declaring an emergency."

The Speaker announced that Mr. Long objected.

NOTICES GIVEN.

Mr. Olsen gave notice that he would, on tomorrow, move to take up for consideration at that time, House bill No. 46, which bill had heretofore been laid on the table subject to call.

Mr. Johnson of Dimmit gave notice that he would, on the next legislative day, move to take up for consideration at that time, House bill No. 891, which bill had heretofore been laid on the table subject to call.

SENATE BILL NO. 490 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 490, A bill to be entitled "An Act providing for the election of a district attorney in the Eighteenth Judicial District of Texas, and declaring an emergency."

The bill was read second time.

ADJOURNMENT.

Mr. Adams of Jasper moved that the House recess to 9 o'clock a. m. tomorrow.

Mr. Davis moved that the House adjourn until 9 o'clock a. m. tomorrow.

Question recurring on the motion by Mr. Davis, it was lost.

Question then recurring on the motion by Mr. Adams of Jasper, yeas and nays were demanded.

The roll was called, and the vote announced as follows:

Yeas—48.

Adams of Jasper.	Johnson
Adamson.	of Dallam.
Alsup.	Johnson
Barron.	of Dimmit.
Beck.	Jones of Shelby.
Bedford.	Justiss.
Burns of Walker.	Keller.
Carpenter.	Lemens.
Claunch.	Leonard.
Cunningham.	Lilley.
Daniel.	Lockhart.
Farrar.	Long.
Ferguson.	Moore.
Finn.	Munson.
Ford.	Olsen.
Gilbert.	Petsch.
Goodman.	Sherrill.
Greathouse.	Steward.
Grogan.	Strong.
Harman.	Terrell
Harrison	of Val Verde.
of El Paso.	Vaughan.
Herzik.	Walker.
Holland.	Warwick.
Holloway.	West of Coryell.
Hughes.	West of Cameron.

Nays—35.

Akin.	Coombes.
Baker.	Cox of Limestone.
Bond.	Davis.
Boyd.	Dodd.
Burns	Donnell.
of McCulloch.	Farmer.

Fisher.	Ratliff.
Forbes.	Rogers.
Giles.	Satterwhite.
Hardy.	Savage.
Hoskins.	Scott.
Johnson of Morris.	Smith of Wood.
Kennedy.	Sparkman.
Laird.	Stevenson.
McDougald.	Tarwater.
McGill.	Turner.
Martin.	Wagstaff.
Pope.	Young.

Absent.

Adams of Harris.	Kayton.
Adkins.	Lasseter.
Albritton.	Lee.
Anderson.	McCombs.
Bounds.	Magee.
Bradley.	McGregor.
Brice.	Mathis.
Brooks.	Mehl.
Bryant.	Metcalfe.
Caven.	Moffett.
Coltrin.	Morse.
Cox of Lamar.	Murphy.
Dale.	Nicholson.
DeWolfe.	O'Quinn.
Dowell.	Patterson.
Dunlap.	Ramsey.
Duvall.	Ray.
Dwyer.	Reader.
Elliott.	Richardson.
Fuchs.	Rountree.
Graves.	Sanders.
Hatchitt.	Shelton.
Hanson.	Smith of Bastrop.
Harrison	Stephens.
of Waller.	Sullivant.
Hefley.	Towery.
Hill.	Van Zandt.
Hines.	Veatch.
Holder.	Weinert.
Howsley.	Westbrook.
Hubbard.	Wiggs.
Jackson.	Wyatt.
Jones of Atascosa.	

Absent—Excused.

Engelhard.	Terrell of Cherokee.
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Mr. Keller raised the point of order that there was not a quorum present.

The Speaker sustained the point of order.

Mr. Keller moved a call of the House for the purpose of securing and maintaining a quorum, and the call was duly seconded.

Question recurring on the motion for the call of the House, it was lost.

On motion of Mr. Keller, the House, at 10:40 o'clock p. m. adjourned until 9 o'clock a. m., Friday, May 15.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills, as follows:

Appropriations: Senate bill No. 624.

Judicial Districts: House bill No. 868.

Oil, Gas and Mining: House bill No. 1052.

The Committee on Public Lands and Buildings filed an adverse report on Senate bill No. 595.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, May 14, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 539, A bill to be entitled "An Act requiring the Commissioner of Agriculture to gather, compile and disseminate statistical information relating to farm areas, crop acreages, natural resources and products thereof; providing that tax assessors collect such information under direction of the Commissioner of Agriculture; providing that the Commissioner of Agriculture furnish blanks to assessors and the time to furnish, etc., and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room,
Austin, Texas, May 14, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 921, A bill to be entitled "An Act authorizing and directing the board of directors and other managing officers of the Agricultural and Mechanical College to create and operate a fireman's training school as a part of said college; providing for the creation of a board to advise in the conducting of the same, making an appropriation therefor, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room,
Austin, Texas, May 14, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 29, A bill to be entitled "An Act appropriating \$1500 to be applied upon the purchase of a statue to be placed upon the Fort Parker monument when a like sum is raised by public subscription; appointing commissioners to purchase said statue and use said funds therefor, and to withdraw such appropriation upon their affidavits of the collection of such like sum by public subscription; providing for selection of successors in case of necessity of such commissioners, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,
Austin, Texas, May 14, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1019, "An Act limiting the amount of white perch, crappie or bass that may lawfully be taken in one (1) day from the public fresh waters of Dallas, Henderson and Wise counties, Texas; prescribing penalties for violating this act, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,
Austin, Texas, May 14, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 713, "An Act providing for the transfer of title of certain lands to the State Highway Commission consisting of two separate tracts, one being across Copano Pass in

Aransas county, the other across Lavaca Bay in Calhoun county. lying under, along and adjacent to the causeways and their approaches now under construction, on State Highway No. 57,"

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,
Austin, Texas, May 14, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 907, "An Act fixing a period of time when it shall be lawful to take, hunt and kill squirrels in

Panola county, defining a misdemeanor and prescribing a penalty therefor, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,
Austin, Texas, May 14, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 63, Relative to correcting House joint resolution No. 6,

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

In Memory
of
Dr. Samuel Palmer Brooks

Mr. Westbrook offered the following resolution:

Whereas, On this morning, May 14, 1931, Dr. Samuel Palmer Brooks, of Waco, was called by death; and

Whereas, Dr. Brooks has been President of Baylor University since September, 1902, and has been one of the outstanding educators of the South; and

Whereas, In 1907 he organized the Texas State Peace Congress, the first State organization of its kind in the United States; and

Whereas, He has long served the religious interests of the South and this State with ardor and patriotic zeal; and

Whereas, A great State wishes to do honor to this educator and patriot; therefore, be it

Resolved by the House of Representatives of the Forty-second Legislature, That the sympathy and condolence of this body be extended to his wife, son and daughter; that a page of the House Journal be dedicated to his memory; that duly authenticated copies of this resolution be furnished to his family; that the Chairman of the Committee on Contingent Expenses be and he is hereby instructed to immediately cause to be sent to the home of deceased an appropriate floral offering; that the Speaker appoint five members of this body to attend the funeral; that when the House of Representatives adjourns today it do so in memory of deceased.

Respectfully submitted,

Signed—Westbrook, Ford, Harman, Stewart, Murphy, Grogan, Claunch, Lilley, Minor, Speaker; Adams of Harris, Adams of Jasper, Adamson, Adkins, Akin, Albritton, Alsup, Anderson, Baker, Barron, Beck, Bedford, Bond, Bounds, Boyd, Bradley, Brice, Brooks, Bryant, Burns of Walker, Burns of McCulloch, Carpenter, Caven, Coltrin, Coombes, Cox of Lamar, Cox of Limestone, Cunningham, Dale, Daniel, Davis, DeWolfe, Dodd, Donnell, Dowell, Dunlap, Duvall, Dwyer, Elliott, Engelhard, Farmer, Farrar, Ferguson, Finn, Fisher, Forbes, Fuchs, Gilbert, Giles, Goodman, Graves, Greathouse, Hanson, Hardy, Harrison of El Paso, Harrison of Waller, Hatchitt, Hefley, Herzik, Hill, Hines, Holder, Holland, Holloway, Hoskins, Howsley, Hubbard, Hughes, Jackson, Johnson of Dallam, Johnson of Dimmit, Johnson of Morris, Jones of Shelby, Jones of Atascosa, Justiss, Kayton, Keller, Kennedy, Laird, Lassiter, Lee, Lemens, Leonard, Lockhart, Long, McCombs, McDougald, McGill, McGregor, Magee, Martin, Mathis, Mehl, Metcalfe, Moffett, Moore, Morse, Munson, Nicholson, Olsen, O'Quinn, Patterson, Petsch, Pope, Ramsey, Ratliff, Ray, Reader, Richardson, Rogers, Rountree, Sanders, Satterwhite, Savage, Scott, Shelton, Sherrill, Smith of Bastrop, Smith of Wood, Sparkman, Stephens, Stevenson, Strong, Sullivant, Tarwater, Terrell of Cherokee, Terrell of Val Verde, Towery, Turner, Van Zandt, Vaughan, Veatch, Wagstaff, Walker, Warwick, Weinert, West of Coryell, West of Cameron, Wiggs, Wyatt, Young.

The resolution was read second time.

On motion of Mr. Farmer, the names of all of the members of the House were added to the resolution as signers thereof.

Question recurring on the resolution, it was adopted by a rising vote.